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639, 674. <i>Marigold (Marygold)</i> , 227, 251. <i>Marmaduke</i> , 492, 493, 502, 505, 530, 583, 594, 639, 679. <i>Mary and John</i> , 8, 9. <i>May-Flower</i> , 239. <i>Merchant</i> , 115, 260, 297, 298, 300, 301, 377, 441. <i>Neptune</i> , 418-422. <i>Prime-Rose</i> , 639. <i>Prosperous</i> , 152, 174, 218, 252. Provisioning of for voyages to Virginia, 351.	<i>Silver</i> , John, 538. <i>Silver Falcon</i> . <i>See under Ships</i> . <i>Singer</i> , John, Surgeon, 213, 292. Accounts, 156, 199, 392, 404. <i>Skinksconce</i> , (Schenkenschanz) 680. <i>Skinner</i> , Company of, 88, 333. <i>Slacey</i> , Thomas, 88. <i>Slade</i> , James, 538. <i>Slany</i> , Humphrey, 60. <i>Slaughter</i> , John, 568. <i>Smaleman</i> , Francis, 88, 334. <i>Smith</i> . <i>See also Smyth</i> .
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JANUARY 20, 1622/3

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selves all possible asistance, Livt. Parkinson w<sup>th</sup> his people is alredie gone downe, y<sup>e</sup> like we shalbe redie to doe to y<sup>e</sup> rest of the Plantatione

We have receaved divers Peticions wherin wee wilbee readie to doe Justice, as y<sup>e</sup> proofes shall arise vpon Examinatione, nor can any man for ought we know, complayne Justly that A Lawfull hearinge hath been denied him at any tyme.

Lastlie we Conclude w<sup>th</sup> our humble request vnto you, y<sup>t</sup> you will not iudge of us by the event℄ of thing℄ w<sup>ch</sup> are ever vncerten especyallie in a new Plantatione, nor by reportes of branded people, some of whom have deservedlie vndergone seuerall kind℄ of punishment nor of the malicious and vnknowinge, but rather to give Credit to our publike informations, and then we shall Cherfullie, as we haue ever faithfully, pceede to the advauncement of you<sup>r</sup> designes the good success whereof, we humblie recomend to y<sup>e</sup> favors of the Allmightie and ever remaine.

Most humbly at yo<sup>r</sup> Comānds.

James Cytty y<sup>e</sup> 20<sup>t</sup> of January 1622

FRA: WYATT  
GEORGE YARDLIE  
GEORGE SANDYS  
ROGER SMITH  
JOHN POUNTIS  
RALPHE HAMER

[Indorsed:] To y<sup>e</sup> right Hono<sup>ms</sup> y<sup>e</sup> Earle of Suthampton and other y<sup>e</sup> Lordes, w<sup>th</sup> the rest of the woorthie aduenturers of y<sup>e</sup> Virginia Compeny.

PRIVY COUNCIL. ORDER RESPECTING CAPTAIN JOHN BARGRAVE

JANUARY 20, 1622/3

Register of the Privy Council, Vol. V, p. 564  
Document in Public Record Office, London  
List of Records No. 401

[The order of the Privy Council respecting Captain John Bargrave, Jan. 20, 1622/3, is printed in the *Acts of the Privy Council, Colonial*, I, pp. 56-57.]

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# 'Smith01'

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Families covered: Smythe of Ashford, Smythe of Bounds, Smythe of Osterhanger, Smythe of Strangford

John Smythe of Corsham (d 1538)

m. Joan Brouncker (dau of Robert Brouncker of Melksham)

1. John Smythe had issue

2. Thomas Smythe of Osterhanger (b c1522, d 1591)

m. Alice Judde (dau of Sir Andrew Judde of Ashford)

A. Sir John Smythe of Osterhanger and Ashford (b 1556, d 29.11.1608)

m. (1578) Elizabeth Fineux (dau of John Fineux of Hawhouse)

i. Sir Thomas Smythe of Osterhanger and Ashford, 1st Viscount Strangford (b 1580, d 30.06.1635)

m. (by 1621) Barbara Sydney (b 28.11.1599, d 1642/3, dau of Robert Sydney, 2nd Earl of Leicester)

a. Philip Smythe, 2nd Viscount Strangford (b 23.03.1633/4, bur 08.08.1664)  
m1. (22.08.1650/6) Isabella Sydney (bpt 30.09.1634, bur 20.06.1664, dau of Robert Sydney, 2nd Earl of Leicester)

(1) Diana Smythe (b 1660, dsp)

m. John Aelst

(2) son (bur infant 15.03.1664/5)

m2. Mary Porter (d 13.11.1730, dau of George Porter)

(3) Endymion Smythe, 3rd Viscount Strangford (d 08/9.09.1724)  
m. (c1710) Elizabeth Larget (d 28.06.1764, dau of Jean Larget, 1st Marquis of Larget-Chalons)

(A) Philip Smythe, 4th Viscount Strangford (b 14.03.1715, d 1779)  
m. (1741) Mary Jephson (dau of Anthony Jephson of M)

(i) Lionel Smythe, 5th Viscount Strangford (b 19.05.1741, d 1805)  
m. (05.09.1779) Maria Eliza Philipse (b c1756, d 1817, dau of Frederick Philipse of Philipseburg, New York)

(a) Percy Clinton Sydney Smythe, 6th Viscount Strangford (b 1779, d 1855)  
m. (17.07.1817) Ellen Burke (b 1788, d 1864, dau of Thomas Burke, 1st Bart of Marble Hill)

(ii)+ other issue - son (bur 24.01.1744/5), Mary, Anne

(4) Elizabeth Smythe

m. Henry Audley of Berechurch

(5) Olivia Smythe

m. John Darell of Calehill

(6) Katherine Clare Smythe (b 08.1683, d 16.04.1711)

m. (c1704) Henry Roper, 8th Lord Townham (b 1676, d 1704)

(7)+ other issue (dvpsp) - George (b c1672, bur 18.11.1704)

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6 M <sup>r</sup> Dike	M <sup>r</sup> Rogers Junior	
14 M <sup>r</sup> George Smith Grocer	M <sup>r</sup> Woodall	4
2 M <sup>r</sup> Robert Smith vnder Cham-berlin	M <sup>r</sup> Sparrow	
6 M <sup>r</sup> Canninge	M <sup>r</sup> Man Junior	1
1 M <sup>r</sup> Humphrey Slany	M <sup>r</sup> Roberts Junior	1
4 M <sup>r</sup> Thaler	M <sup>r</sup> West	2
1 M <sup>r</sup> Edward Bennit	M <sup>r</sup> Pearce	
1 M <sup>r</sup> ffesant	M <sup>r</sup> Cason	
M <sup>r</sup> Wrote	M <sup>r</sup> Robins	
M <sup>r</sup> Steward	M <sup>r</sup> Wale	
3 M <sup>r</sup> John Wrothe	M <sup>r</sup> Lawes	
M <sup>r</sup> Palausine	M <sup>r</sup> Townsend	
4 M <sup>r</sup> Christopher Barron	M <sup>r</sup> Essington	83
2 M <sup>r</sup> Jonson	M <sup>r</sup> Ditchfeild	12  84

[Indorsed in the hand of Sir Nathaniel Rich:] Names of Aduenturers that dislike y<sup>e</sup> p<sup>nt</sup> proceedings of buziness in y<sup>e</sup> Virg. and S. Ilands Companies. Ap. 1623.

CCCVIII. CAPTAIN JOHN BARGRAVE. CHARGES AGAINST SIR THOMAS SMYTH, WITH ANSWERS IN ROUGH DRAFT BY SIR NATHANIEL RICH

*APRIL (?), 1623*

Manchester Papers, No. 351

Document in Public Record Office, London

List of Records No. 434

The charge against S<sup>r</sup> T. Smith

That S<sup>r</sup> T. S. hath not pformed the trust reposed in him by His Ma<sup>tie</sup> but contrariwise w<sup>h</sup> great Reason it may be stronglie presumed, that both he first came to vndertake this charge w<sup>h</sup> sinister & priuate end<sup>e</sup> of his owne & hath so contynued therein during the 12 y. of his gou<sup>ern</sup> w<sup>h</sup> Charge in gen<sup>erall</sup> seemeth to be made manifest as followeth.

This as they say is but presumption: And contrarie to their owne Act of Court when S<sup>r</sup> T. S. surrendered his place in w<sup>h</sup> they thankfully acknowledged his good endeavo<sup>r</sup> the good estat of the plantacs & give him a reward of xx shares: s

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*RECORDS OF THE VIRGINIA COMPANY*

2. That he neglected the care of those businesses, bec<sup>9</sup> when hee satt in the Courts he would many tymes rise & goe ~~about~~ intend other occasions: &c

Ans. He tooke more care of this then of all others & more ingaged himselfe.

3: He sent but few women thither & those corrupt.

Ans. Answer He sent a great many & those of the best hee could gett & some such whose whose Husband since hath ben knighted & made Gouverno<sup>r</sup> of Virg.

4: He sent not Cattle sufficient for the Colonye & all of

Ans. He sent many they confess 300 in their declarac<sup>o</sup>n.

5 That there was no publiq seale made for the Company in S<sup>r</sup> T. S. tyme: Nor no diuisions of land.

Ans. There were many diuisions of land made: but true it is the Colony was not so scattered as since. And for the Seale then that w<sup>h</sup> was then vsed was the Seale made for the Counsell of Virg by his Ma<sup>ty</sup>s own appointm<sup>t</sup>.

6 That though there were ensamples of ii staple Com<sup>o</sup>dityes in the 10<sup>th</sup> yeare of his go<sup>u</sup>n<sup>t</sup> yet in the 12 y. of his gou<sup>u</sup>n<sup>t</sup> only Tobacco & Sassafras.

Ans. There hath ben none at all since: & the charg is vntrue.

That there were few orders & lawes made in S<sup>r</sup> T. S. tyme for gou<sup>u</sup>m<sup>t</sup> of the Company & Colonye from whence issued Iniustice a pticular instance

Ans. whereof that men were sold as slaues And in his tyme a Com<sup>o</sup>mittee appointed to consider whither it were fitt to contynue & desert the planta<sup>o</sup>n.

Ans [2] There were lawes for the Company there. And none for the Colony since but where made then.

8 There was a generall neglect in his officers: M<sup>r</sup> Cañing and Alderman Johnson who neu<sup>9</sup> cleared his Accompt §but wronged the Company of

Ans. 300<sup>l</sup> in fauor of the Magazin. § and good<sup>l</sup> bought at excessiue Rate And the lists of mens names and of the Ires writt to & from Virginia not care-fully kept And that Alderman Johnson in a discourse of his to a priuate freind did discom<sup>o</sup>nd the Countrey.

Ans. This belongeth to the Officers to ans. w.

9 No fruite of thexpence of the tyme & money in generall

Ans. Here S<sup>r</sup> T. S. gives a short Accompt of what was done in his tyme.

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APRIL (7), 1623

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Thus much for neglects in S<sup>r</sup> T. S. tyme. Now for 3 matters of a high nature.

That his Ma<sup>ties</sup> Instructions first giuen for gou<sup>ern</sup>m<sup>t</sup> were not obserued, nor so much as published.

He did follow thinstructions: And gaue Coppies thereof to the President <sup>Answer</sup> & Counsell first established: And they were engrossed fairely in a Book as a Record.

The Counsell seldome assembled but w<sup>th</sup> the Company, and the Lord<sup>e</sup> of the Counsell made little acquainted w<sup>th</sup> the proceeding<sup>e</sup> of those businesses

He did oft assemble them: but then they were so few that they could not <sup>Answer</sup> so oft as he would as had be meet: And he conceaues it a coffendation rather than an error §especially an offence of an high nature§ that in all his tyme the Lords w<sup>th</sup> of his Ma<sup>ties</sup> Counsell were so little §trouble<sup>d</sup>§ and their more weightie affaires interrupted by the businesses of this planta<sup>cion</sup> as they haue ben since by §with§ these businesses.

That Sir T. Smith suffered a Booke of lawes for gou<sup>ern</sup>m<sup>t</sup> of the Colony<sup>3</sup> cheifely extracted out of the lawes for gou<sup>ern</sup>ing the Aerm<sup>y</sup>e in the low Contreyes.

That was answered before the LL<sup>ts</sup> & allowed.

<sup>Answer</sup>.

That he did ill husband & accempt for the monyes: as if they may haue §sufficient§ tyme they giuen to find out therrors §Now for other pticular errors they charge him§ And that the Treasurer & Gouverno<sup>r</sup> of the Com-<sup>Answer</sup>pany were at first beeing in themselues distinct Offices: were made one by the King<sup>e</sup> Ires Patents: w<sup>ch</sup> is supposed to be by S<sup>r</sup> T. Smythes meanes [3] This is the Act of the Ires Patents: 2 whereof were drawn by S<sup>r</sup> Ed. <sup>Answer</sup> Sandys himselfe

That great ffices were giuen to the Vnder Officers w<sup>ch</sup> came to 1500<sup>l</sup> in <sup>24<sup>th</sup></sup> xij yeares

Theis were instituted by the Counsell & Company. & the Casheare M<sup>r</sup> <sup>Answer</sup> Booke keep who was to haue 100<sup>l</sup> p Añ: was in the beg<sup>g</sup> of the planta<sup>cion</sup> thereto appointed by the L: Threas<sup>r</sup>, & so so that one plac alone by that instituting came to 1200 of the 1500<sup>l</sup> but conceaues it 1500<sup>l</sup> p Añ in 12 y.

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*RECORDS OF THE VIRGINIA COMPANY*

not to be excepted against ~~especi~~ seeing S<sup>r</sup> E. S. would haue no less than 500<sup>l</sup> p<sup>a</sup> Añ for directing the Monopoly of Tobacco by w<sup>ch</sup> mens goods should haue ben taken from them, changed & sould against their will.

3: That th<sup>e</sup> Accompt<sup>e</sup> were not añually made: & his Accompt<sup>e</sup> intricate: & that the Company by his §Accompt is indebted of § 527<sup>l</sup> 13<sup>s</sup> 1<sup>d</sup> ob.

*Answer.* He gaue vp many & ~~different~~ Accompt<sup>e</sup> audited & allowed by men w<sup>h</sup>out exception §And all his Accompt<sup>e</sup> at this day stand so audited & allowed § And there is a pticular Answere concerning all allegaçons against his Accopt

4: That this want of Accomptis was a hinderance to the plantaçon: for some sd one this & some another.

*Answer:* ~~This~~ §To§ Clamor he cañot answere ~~vate~~

5<sup>th</sup> That some of the Lottery money was imployed in paying of the debt<sup>e</sup> of the Company for w<sup>ch</sup> S<sup>r</sup> T. S. himselfe stood engaged contrary to the LL<sup>a</sup> agreem<sup>t</sup> betweene the LL<sup>a</sup> & the Company.

*Answer.* The moneyes he receaued of the Lotteryes was not much: for he left in stock 3000<sup>l</sup> and S<sup>r</sup> E. S. had 1000<sup>l</sup> thereof. ~~What was~~ The little that remayned was payed by Order of Court: ~~And~~ §But§ S<sup>r</sup> Ed. Sandy<sup>e</sup> himselfe confesseth that he hath p<sup>d</sup> 5000<sup>l</sup> thereof the publiq stock for discharg of old debts

~~Lastly~~ §Then§ they deduce all Errors cõmitted by S<sup>r</sup> S. Argall to be vpon S<sup>r</sup> T. S. seeing he fauored him.

Lastly they say that these things the Company could haue ben content to haue buryed in silence but that S<sup>r</sup> T. S. hath fauored th'Opposite pte to the Company &c.

[Indorsed:] Breife of y<sup>e</sup> charge made against S<sup>r</sup> T. Smyth

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CCCLVI. [SIR NATHANIEL RICH.]<sup>1</sup> "NOTE WHICH I PRESENTLY TOOK  
OF CAPTAIN JOHN BARGRAVE'S DISCOURSE TO ME CONCERNING SIR  
EDWIN SANDYS"

MAY 16, 1623

Manchester Papers, No. 368  
Document in Public Record Office, London  
List of Records No. 508

This day beeing friday the 16<sup>th</sup> of May 1623 betweene the houres of 11 and 12 a clock in the forenoone Captaine Bargraue came to me to shew me a paper w<sup>h</sup> he had drawne concerning the p<sup>nt</sup> Gouvern<sup>t</sup> of Virginia, w<sup>h</sup> I onlie read and deliuered to me §him§ againe, §And§ He and my selfe beeing then all alone in the great Chamber of my Lord of Warwicks house he tould me that he was afrayd to discouer some thinge w<sup>h</sup> he knew of th<sup>e</sup> S<sup>r</sup> Ed. Sandys his proceeding in those businesses, both because he was so vpheld priuately in his courses as also that he had the strength of the Courts to countenance him in all thinge and w<sup>e</sup> had so carryed the business that he would be sure to hide all his owne ill actions vnder the name of the Companye: Besyde he tould me that by his long acquaintance w<sup>h</sup> him & his wayes he di<sup>d</sup> §was induced§ verilie to beleaue that there was not any man in the world that carried a more *malitious* hart to the Gouvern<sup>t</sup> of a Monarchie then he §S<sup>r</sup> Ed. Sandys§ did: for Capt. Bargraue had heard him say That if eu<sup>9</sup> God from heauen did or diree constitute and direct a G<sup>e</sup> forme of Gouvern<sup>t</sup> it was that of Geneua: And he hath oft tymes reprehended §Capt§ Bargraue that in some §written§ tractates of his, and in his discourses he seemed to dislike the [2] constitution and frame of the §p<sup>nt</sup>§ Gouvern<sup>t</sup> w<sup>h</sup> of Virginia inclininge §to§§ as that w<sup>h</sup> inclines §vnto§ if not directly beeing a popular Gouvern<sup>t</sup> he telling Capt Bargraue that his intent was to erect a free state in Virginia and other word<sup>e</sup> to that purpose. And to that intent (as Capt Bargraue affirmed to me) he §S<sup>r</sup> E. S.§ mooued my L. of Canterburie to giue leaue to the Brownistes and Separatists of Engl. to goe thither for w<sup>h</sup> my Lord<sup>e</sup> grace of Canterburie sayed to Bargraue that he should neu<sup>9</sup> like well of S<sup>r</sup> E. S.: those Brownistes professeing by their Doctrine clayminge a libertie to disagreeing to the Gouvern<sup>t</sup> of Monarches: And the sd Capt. Bargraue likewise affirmed that if the Charter w<sup>h</sup> by S<sup>r</sup> Ed. Sandys his meanes was sent into Virginia w<sup>e</sup> and at

<sup>1</sup> In the hand of Sir Nathaniel Rich.

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(in w<sup>h</sup> is a clause (as he sayes) that they shall haue no Gouvern<sup>t</sup> putt vpon them but by their §owne§ consents) and his other proceedinge in those businesses of the Plantacons (especially such as concerne gouern<sup>t</sup>) were looked vnto it would be found that he aymed at nothing el<sup>e</sup> more then to make a free popular state there And himselfe ~~to be the lea~~ and his assured Freind<sup>e</sup> to be the leaders of them w<sup>h</sup> much ~~more~~ §to this effect§ declaring in § my apprehension a m<sup>o</sup>uailous ill affection in S<sup>r</sup> E. S. to the happie §frame of a § Monarchie.

[Indorsed in the hand of Sir Nathaniel Rich:] A note w<sup>h</sup> I p<sup>l</sup>ntly tooke of Capt Bargaues discourse to me concern<sup>o</sup> S<sup>r</sup> E. Sandys. 16 of May 1623.

CCCLVII. [SIR NATHANIEL RICH.] HEADS OF TWO LETTERS TO BE WRITTEN TO THE VIRGINIA COMPANY BY MR. SECRETARY

MAY (SHORTLY BEFORE MAY 18), 1623

Manchester Papers, Nos. 372, 373 <sup>1</sup>  
Document in Public Record Office, London  
List of Records No. 485

[No. 372] 1 That he may §resigne his place & § stay in y<sup>e</sup> Countrey for disobeying the Com<sup>d</sup> and w<sup>h</sup> he may dee by resigning his place and not to be here to countenance this opposition.

2 That M<sup>r</sup> Secretary may write a letter (w<sup>h</sup> may be publickly read at euery meeting) wherein his Ma<sup>tie</sup> may please to comānd and that most strictly That no man (nobleman or other) come to those Courts or Comittees §of y<sup>e</sup> Virginia Company§ who hath not some men in Virginia planted vpon his shares and that no man intermeddle either in those [ & ] so is more then or is not at this instant ingaged by the and accordingly pursues the sending of men or supplyes thither by y<sup>e</sup> next shipping: All others shalbe proceeded against as factious and seditious persons. This Com<sup>d</sup> to contynue till y<sup>e</sup> retourne of y<sup>e</sup> Comission now on foote for setling those businesses.

<sup>1</sup> No. 372 is written and indorsed in the hand of Sir Nathaniel Rich. No. 373 is indorsed in his hand. The documents are undated, but may be presumed to precede by a few days the King's letter of May 18 printed in *Records of the Virginia Company*, II, pp. 434-435.

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limit the expansion of colonial autonomy. In 1623, for example, Captain John **Bargrave** hawked around England's corridors of power a comprehensive attack on social mobility and political self-assertion in Virginia. **Bargrave** believed that Virginia's governors had encouraged "popular government" at the expense of monarchy and that extreme liberty was worse than extreme liberty. Yet this implacable opponent of the pretensions of Virginia's emerging grandees recognized a measure of American independence even as he sought to limit its menace to the Crown through a carefully calibrated commonalty inspired by Mediterranean trading states. **Bargrave** proposed that Virginia be governed by a Council of Union bound by oath to unite Virginia with the Crown. To prevent a future Massaniello or Bacon from seizing control of this body, it in turn would be governed in monthly rotation by a triumvirate selected from a restricted pool of trustworthy great planters. **Bargrave** appealed to classical antiquity in support of this proposal, while elsewhere commending King Alfred for dividing England into shires, hundreds and tythings and suggesting Virginia could best defend itself from Indian attack by a series of "military intendancies" based on analogous units of local government. (This proposal

*and the Classical Tradition* (Cambridge, Mass.: Harvard University Press, 1963), 29.

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"military intendancies" based on analogous units of local government. (This proposal

and the *Classical Tradition* (Cambridge, Mass.: Harvard University Press, 1963), 29.

<sup>1</sup> Captain John **Bargrave** to Lord Middlesex, June 10, 1623 in "Lord Sackville's Papers Respecting Virginia, 1613-21," *American Historical Review* 27 (1922), 508-9; [Captain John **Bargrave**] "A Forme of Polisie to Plante and Goveerne Many Families in Virginae," in Arthur Percival Newton, ed., "A New Plan to Govern Virginia" *American Historical Review* 19 (1914), 559-578. **Bargrave** explained the composition and purpose of the Council in a sidebar: "The grounds and reasons of this several councils why we make three presidents of this Syncretisme or council of union, and why they take their courses by changes according to these letters set down are these. Genoa has three presidents, so

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sought to head off "bottom up" retaliation against Indian attacks such as that proposed by William Capps in 1623 and any number of Baconites in 1676). <sup>4</sup> During the Interregnum Virginians, or rather their Burgesses, did in fact appoint their own governors. The last person so chosen was Sir William Berkeley in 1659. Even Berkeley, no friend of republics, commonwealths or commonalties, could hope only to limit the power of the

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JUNE 9 (?), 1623

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CCCLXIX. CAPTAIN JOHN BARGRAVE. A LETTER TO THE LORD TREASURER MIDDLESEX <sup>1</sup>

JUNE 9 (?), 1623

Papers of Lord Sackville, No. 6204  
Document at Knole Park, Kent

Right Honorable

The Kinge, the State, the plantacion, and my poore selfe, will all have cause to thank you for procureing this Commission. Expedition will nowe bee the life of it, That it may be putt into accion, by Bartholmew day, else this yeare will bee lost as the last yeare was; your Lordship hath tendered the importacion of the Spanish Tobacco to the Companie, they (as they doe all thinges els) applie it to the benefitt of a few, for want of a Stock. I make noe doubt but if this Commission be expediated, but there wilbe a Stock procured time enough to farme the Tobacco for the publique soe as the benefitt gayned shall returne to the good of the Kinge, and the plantacion. Good my Lord in all your grauntes that carrie profitt with them, use the name of the Publique; The word Companie governed by populer voices, is it that covereth all their secrett practises. And it is a shame that the Common weale of Virginia, dependinge on the Monarchie here, should be governed soe, as this little treatise here inclosed will show you. All the examples that I produce to expresse the injuries done, were for the most part in Sir Thomas Smith's goverment, because from it the planters have learned their inhumanitie and injustice which they nowe use, both against the new comers and adventurers, offeringe the same measure which hath bene measured before to them. But if I should call in question the present governors, whoe beinge not ignorant that the populer goverment doth directlie take away the power of the monarchie and shew what mischeife they have done by their profuse throwinge out libertie, amongst the planters, whereby they have made them forsake their former discipline, strength and vertue to defend themselves against the domestick enemie, and yet beinge fore warned of these thinges it should appeare that they did it knoweingly and wittinglie against the soveraignitie in England, extreame libertie beinge worse then extreame Tirranie, as it appeared by *the troubles*

<sup>1</sup> From the text printed in the *American Historical Review*, XXVII, pp. 508-509.  
156307-35-16

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*in Rome after Neroes death*, and the Romans (when their estate was most populer) never punishinge their governors more for anie fault, then the neglect of discipline; this might make our governors nowe as much to bee blamed as the former weare, but I delight not to bee an accuser, unles necessitie enforce it, although all the remainder of my estate sent into Virginia is nowe lost therby. And soe I rest

Your lordships to commaund

JOHN BARGRAVE

[Indorsed by Willis:] Received 10 June 1623. Captaine Bargrave

CCCLXX. THOMAS GIBBS. NOTE TO SIR EDWIN SANDYS

JUNE (AFTER JUNE 9), 1623

Ferrar Papers  
Document in Magdalene College, Cambridge  
List of Records No. 394

We Came late Proclamation if any man had any thing to say to Sr Th: S. he should come in presently The Lord Cavendish Read the second lettre Presented the exceptions against Sr Th: S Accompts They were read: Sr Tho: Petition Read w<sup>ch</sup> was they said Sr T. S had presented all his Books we said not his Originall Cash books the Cauled him in he Came in w<sup>th</sup> seaverall Counsell and 20: of the Gemn. but the Rest willed to departe

He made a Complent he Could not gett his Books after they were delivered He tould a Tale of my Lord: of S and Sr Ed: Sandy

M<sup>r</sup> Brookes of his Accompts

he protested the fairnes of his Accounts

Ni: fferrar Maid Answere that that to My L: S was but one exceptions some beleiwed

Secondly whether by his Cash he or \* \* \* he wold stand by at w<sup>ch</sup> wordes he was very Angry Saying he was nether Auditor nor Cuncel M<sup>r</sup> L. Cavendis

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*RECORDS OF THE VIRGINIA COMPANY*

There likewise goeth in this Shipp y<sup>e</sup> George for the Account of y<sup>e</sup> Magazine for Meale to the value of neere 200<sup>li</sup>

[Indorsed:] The supplies of Priuate Men to Virginia in the George and Truloue 23<sup>d</sup> July 1623 Report of M<sup>r</sup> Attorney and M<sup>r</sup> Sollicitor

## II

The Adventure <sup>s</sup> of y <sup>e</sup> Society of Truloue did send by way of Joint Stock to the value of.....	li s d.	176:00:00
Diuers private Members likewise of that Society did send in that Shipp to y <sup>e</sup> value of.....		200:00:00
	li	
The Master carried to y <sup>e</sup> value of.....	60	140:00:00
M <sup>r</sup> Dodson & <sup>s</sup> to y <sup>e</sup> value of.....	80	
		<u>536:00:00</u>

## CCCLXXXV. PROTECTION TO CAPTAIN JOHN BARGRAVE

AUGUST, 1623

Docquet Book, Signet Office, Vol. 7  
Document in Public Record Office, London  
List of Records No. 553

August 1623. A<sup>o</sup> RR<sup>e</sup> Jacobi 21<sup>o</sup> & 57<sup>o</sup>

Bargrave Protection for one whole yeare graunted to John Bragrave esq<sup>t</sup> and his Suerties immediatly after the expiracon of a former granted him for six moneths now almost expired. By order from the lords of the privy Councill. Procur<sup>o</sup> by M<sup>r</sup> Secretary Conwey.....

6s. 8d.

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## VOL. III.

1624.

[April 22.]

11. Petition of Capt. John Bargrave to the House of Commons, on behalf of himself, the absent planters in Virginia, and all other adventurers that shall adventure their estates under a government where, the Governor being corrupt, the profits of the greatest joint stocks may, by practice and factions, be monopolized into a few private hands. Against the proceedings of Sir Thos. Smythe late Treasurer of the Virginia Company and others practising with him for ruling the colony by laws directly contrary to the King's letters patent. Prays that Sir Thos. Smythe may be compelled to refund all monies to the Company for which he can show no true account; that the dishonour the plantation hath received may be considered; and Smythe and his associates ordered to give satisfaction for their unjust practices. [*Copy.* On the same day Sir Thos. Smythe writes to Sec. Conway, intreating him to attend the Grand Committee of Grievances to-morrow in order to help to stop the clamorous tongue of Bargrave, who has petitioned against Smythe and others. See DOMESTIC Corresp. Jac. I., Vol. CLXIII., No. 28, Cal. p. 220.]

April.

12. Answer of Sir Thos. Smythe and Robt. Johnson, alderman, to the petition of Capt. John Bargrave, exhibited by way of complaint to the Commons Committee of Grievances. Concerning the tyrannical government imposed upon the people in Virginia by Sir Thos. Smythe; Bargrave's allegations touching his patent of free trade for those parts and his intention to make a private plantation; the monopoly of importing tobacco; and the charges against Alderman Johnson for "indirect dealing." Represent that there is an action for 500*l.* now pending against Bargrave, who is indebted to the Company for that amount for tobacco bought of them, and pray that some course may be determined for "easing this their grievance which may be any man's case to be so abused if he be suffered without punishment." [*Copy.* On 26 April 1624, a petition presented by Mr. Ferrar from the Treasurer, Council, and Company of Virginia was read in Parliament, and Wednesday 28th, appointed to take it into consideration [*see Commons Journal*]; but on that day the King wrote to the Speaker of the House of Commons, desiring the Commons not to trouble themselves with the petition, as it would renew the factions of the Company which were in settlement by His Majesty and the Privy Council. [*See DOMESTIC Corresp. Jac. I., Vol. CLXIII., No. 71, Cal. p. 227.*] Sir Isaac Wake informed Sec. Conway on the following day that the King's letter, which was received with universal applause [in the House of Commons] had quieted the great schism caused by the Virginians. SAVOY Corresp., 1624, April 29. See also Nethersole's Letter, May 6.]

## VOL. III.

1624.

of the whole House appointed. On Wednesday last, Mr. Ferrar, deputy of the Company, Sir Edwin Sandys, Lord Cavendish, and Sir John Danvers, made relation of proceedings; they "laid the great load" upon the Lord Treasurer, charged the Commissioners, appointed by the King to report upon the cause, with extreme partiality, and accused Sir Nath. Rich of being an active ill-instrument among them. Gondomar and his successors were not spared, and declared to have used their utmost endeavours to destroy the Company and their plantation. At the time when the Commissioners were to examine Sir Edwin Sandys and former Governors as to their governments, he was commanded by the Lord Treasurer, in the King's name, to go out of town. The King disavowed it, and gave Sandys liberty to return. The business appearing very foul, many, at first unwilling, were now content to have it ripped up. Next day the King forbade the House to proceed any further; the matter having been specially recommended to his Council, His Majesty feared that troubles, to quiet which much pains had already been taken, might be stirred again by the House meddling with them. This was assented to by a general silence, but not without soft muttering that any other business might in the same way be taken out of the hands of Parliament. [*Extract. DOMESTIC Corresp. Jac. I., Vol. CLXIV. No. 46. Cal. p. 237.*]

May 24.  
London.

Nethersole to Carleton. Sir Edwin Sandys has reported upon a patent for sole trade to Guinea and Binney, obtained by some men, who pretend to have found it out, whereas many have been there almost fifty years since, and it is condemned as a grievance. [*Ext. DOMESTIC Corresp. Jac. I., Vol. CLXV., No. 34, Cal. p. 254.*]

June 14.

[Sec. Conway] to Sir Thos. Merry. The King desires that the letters and papers relating to the affairs of Virginia, in the possession of his late cousin, who was employed in that business, may be safely preserved, together with any, that he may know of, in the custody of others. [*DOMESTIC Corresp. Jac. I., Vol. CLXVII., No. 60, Cal. p. 274.*]

June 24.  
Greenwich.

Order of the Privy Council appointing Lord President Mandeville, Lords Paget, Chichester, and others, a Committee to resolve upon the well-settling of the colony of Virginia, and to give order for the government; to certify their proceedings to the King, and take further directions therein, His Majesty being resolved to renew a charter, with former privileges and amendment of previous imperfections. [*Colonial Entry Bk., Vol. LXXIX., p. 210.*]

June 26.  
Whitehall.

Order of the Privy Council for Mr. Ferrar, deputy for the late Company of Virginia, to bring to the Council chamber all the patents, books of accounts, and invoices, concerning the late corporation, and the lists of the people in that colony, to be retained by the Keeper of the Council chest till further order. [*Colonial Entry Bk., Vol. LXXIX., p. 277.*]

June 26.

16. Petition of sundry Commissioners and Adventurers of the Virginia Company to the Privy Council. Pray that Capt. John

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## VOL. III.

1624.

Bargrave's protection may not be renewed until some course shall have been taken for payment of his bond of 800*l.*, due to them for a principal debt of 500*l.*

June?

Henry Earl of Southampton and certain other Lords of the Council, appointed a Council for Virginia. [*Minute. Colonial Corresp.*, 1609, p. 1.]

July?

Request [to the Privy Council?] that as the King is concluding a contract with divers persons for all tobacco from the English Colonies for his own use, orders may be given to the Governor of Virginia not to suffer any trade with the Hollanders who are now freighting ships for that purpose, their provisions not being required in that plantation. [*DOMESTIC Corresp. Jac. I., Vol. CLXIX. No. 7, Cal. p. 290.*]

July 2.  
Oatlands.

The King to Solicitor General Heath. The Commons have petitioned against the import of foreign tobacco, and the planters and adventurers in Virginia and the Somers Islands have also petitioned for consideration of the languishing state of those colonies, which can only subsist at present by the sale of their tobacco at reasonable prices. Although well assured that these plantations cannot prosper, if they rely upon tobacco only and neglect other things of greater consequence, yet he is required, with the advice of Sec. Conway and Sir Rich. Weston, to draw up a contract with the planters and adventurers of these colonies for all their tobacco to be delivered for the King's use, on which His Majesty will declare his pleasure concerning that of other countries. [*DOMESTIC Corresp. Jac. I., Vol. CLXIX., No. 5, Cal. p. 290.*]

July?

Statement [by Sol. Gen. Heath,] that the House of Commons having petitioned against the importation of foreign tobacco, not of the growth of the King's dominions, His Majesty conceiving it may further trade and bring money into this realm, is willing to contract with the Governor and Company of Virginia and the Bermudas for the import of a sufficient quantity for England and Ireland. The King will prohibit the import of foreign tobacco as requested, and the planting of any considerable quantity in England, and will take of those colonies 400,000 weight yearly, of two sorts, the better at 15*l.* the cwt. the worser at 10*l.* the cwt. The Companies to be allowed to export to foreign countries all imported above that quantity. [*DOMESTIC Corresp. Jac. I., Vol. CLXIX., No. 6, Cal. p. 290.*]

July 3.  
London.

Sir F. Nethersole to [Carleton]. A Commission of Privy Councillors and others appointed to advise on a fit patent for the Virginia Company, the old one having been overthrown by a quo warranto the last day of term. The intended reformation is that there shall be a Company for trade but not for government of the country, of which latter the King will himself take care. This is to avoid the faction that has grown in the Company and the "popularity" of the government, also displeasing to the King. Report speaks of a great army of 100 men to be sent thither to secure the inhabitants from the Indians without distracting them from their labours. [*Extract. DOMESTIC Corresp. Jac. I., Vol. CLXIX. No. 14, Cal. p. 291.*]

## VOL. III.

1624.  
July 20. Warrant to pay to John Pory 150*l.* in discharge of 100*l.*, expended by him, and as a reward for his service when employed in Virginia about the King's special affairs. [*Sign Manual, Jac. I., Vol. XVI., No. 50.*]
- July 25.  
Kensington. 18. Attorney General Coventry to Sec. Conway. Certifies why [Robt ] Bing was willingly forgotten in the commission for Virginia. The business in hand is weighty and serious, this man somewhat light, and to use the Lord Keeper's words, "a mere good fellow, a man of no estate, who, for saucy conduct before the Council table, and offensive behaviour to Lord Southampton, had been committed to the Marshalsea." Prays for speedy directions, that, if these reasons be not allowed by the King, he may take a course for adding him to the commission himself, having no other end in view but His Majesty's service.
- July 26.  
Ashby. Sec. Conway to Lord President Mandeville. The King has been importuned by the bearer, Capt. Bargrave, for the continuance of his protection. The Privy Council is to examine what advance Bargrave has made in the payment of his debts, and to renew protection for six months if his real purpose is to order his estate for the payment of them, with provision that he desist from molesting others by suits in the Star Chamber, and especially Sir Thos. Smythe, the King being informed that is the only use Bargrave would make of his protection. [*DOMESTIC Corresp. Jac. I., Vol. CLXX., No. 65.*]
- July 31. 19. Solicitor General Heath to Sec. Conway. The Commissioners for Virginia conceive that a commission from the King, under the Great Seal, should be sent to some of the principal inhabitants there for present government of the colony. Sends a form agreed on [*wanting*] for His Majesty's signature, and desires that a last of powder may be sent thither out of the King's store.
- July 31.  
Philpot Lane. 20. Sir Thos. Smythe to Sec. Conway. Capt. Bargrave has returned from Court to London, and gives out that his protection is renewed. The Virginia Company were in hopes that their debt of 500*l.* would have been first satisfied, which they intended for relief of the colony. Desires the inclosed petition may be shown to the King. *Annexed,*
20. i. *Petition of sundry Commissioners and Adventurers of the Virginia Company to the King. [Duplicate of the petition to the Privy Council calendared under date of 26 June 1624, ante, p. 62.]*
- July 21. Petition of Gov. Sir Fran. 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 im-

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## VOL. III.

1624. and custom more than 2,000*l.*, the composition 500*l.*, which he is not provided to pay. Pray that duties may be imposed proportionable to the value and quality of that drug, and for redress of several grievances.
- July? 23. Brief answer to the propositions touching tobacco lately delivered by the King's Farmers of Customs, showing a profit of 93,350*l.* to the Crown on the importation of 300,000 lbs. of tobacco from Virginia, 100,000 lbs. from the Somers Islands, and 50,000 lbs. from Spain, or elsewhere.
- August 2. Sol. Gen. Heath to Duke of Buckingham. Takes the opportunity of Mr. Pory coming to Court about the Virginia business, and Lord Warwick being there, to intreat his assistance in settling the contract for the Virginia tobacco, a work both honourable and profitable, if well managed. Has inclosed particular instructions, in a letter to Sir Geo. Goring, at a fit opportunity to debate with Buckingham. Knows Goring to be discreet, and that they will be safe in his hands. [DOMESTIC *Corresp. Jac. I., Vol. CLXXI., No. 7, Cal. p. 320.*]
- August 5. 24. Sir Thos. Smythe to Lord President Mandeville. Requests  
Philpot Lane. he will be a means to hinder, or at least defer, Capt. Bargrave's protection, as he hopes to procure a countermand from the King.
- August 9. 25. Robt. Earl of Warwick to Sec. Conway. Has sent Mr. Pory  
Newark. with the commission [for Virginia] to desire him to put out Mr. Potts' name, who was the poisoner of the savages there, and therefore unfit to be employed by the State in any business. Prays him to remind the King to write to Mr. Attorney to put Robt. Bing in the Virginia commission, according to His Majesty's promise.
- August 13. Sec. Conway to Attorney Gen. Coventry. To confer with the Earl of Warwick and Sir Thos. Smythe about putting [Robt.] Bing into the commission for Virginia, and to do therein what shall be most advantageous to the service. [*Minute. Conway's Letter Bk.*]
- August 13. Sec. Conway to Sol. Gen. Heath. Returns to him, signed, the  
Nottingham. commission for a Council in Virginia [with Mr. Potts' name put out; see *Conway's Letter Bk., p. 146.*] Mr. Pory has spared no attendance nor diligence in the matter. [DOMESTIC *Corresp. Jac. I., Vol. CLXXI., No. 47.*]
- August 16. 26. Power of attorney from John Harrison, of London, to James Carter, master of the Anne, to dispose of the unexpired time of servitude of seven servants sent over by him to Virginia, and of the effects of his only brother George, deceased. [*Draft.*]
- August 16. 27. Copy of the above.
- Sept. 15. Licence to Sir Francis Wyatt, Governor of Virginia, to return to England for his own private business, on the decease of his father. Power to Sir George Yeardley to be Governor in his stead, and on his death John Harvey, or failing him, any one of the Council there, chosen by the majority. [*Docquet. DOMESTIC Jac. I.*]

## VOL. III.

1624.  
Sept. 28. Whitehall. The Privy Council to the Governor of Virginia. John Puntis, Vice-Admiral of Virginia, lately deceased in England, having made Sir Thomas Merry his executor, and a great part of the estate remaining in Virginia, he is directed to cause an exact account to be taken of Puntis' property, to be sealed and sent over to Merry. [*Colonial Entry Bk., Vol. LXXIX., p. 277.*]
- Sept. 30. Whitehall. Warrant to Lord Carew, Master of the Ordnance, to deliver 20 barrels of powder to Sir Thomas Smythe for the use of the Somers Islands, to be paid for at the rate of 10*d.* per lb. [*Colonial Entry Bk., Vol. LXXIX., p. 278.*]
- Oct. 22. Whitehall. Warrant to Lord Carew, Master of the Ordnance, to deliver to the Virginia Commissioners, one last of powder for the better defence and security of that plantation. [*Colonial Entry Bk., Vol. LXXIX., p. 278.*]
- Oct. ? Capt. John Bargrave to ——. His estate has been ruined in undertaking "this noble and glorious work of Virginia." Has remodelled his project, formerly delivered by the King to the Earl of Warwick, for settling that government and re-delivered it to His Majesty. Is sure it is the only safe and profitable way to plant Virginia, without which all the men and money spent in that business will be lost. Has dedicated himself to die in seeing it effected. By "yōr honor's" furtherance the government may be settled within a fortnight. [*Extract, DOMESTIC Corresp. Jac. I., Vol. CLXXIII., No. 120, Cal. p. 366.*]
- Nov. 16. 28. Sirs Thos. Smythe, Ferd. Gorges, John Wolstenholme, and Sam. Argoll, Thos. Gibbs, Sam. Wrote, and John Pory, the Council for Virginia, to Earl of Warwick. Mons. Beaumont having moved the Commissioners to be speedily dispatched [to Virginia] because of the "great charge he lyes at with his men," they pray, on his behalf, for a grant of free denization of England, as others, undertakers, have formerly had.
- Nov. 18. [Sec. Conway] to Sol. Gen. Heath. At the earnest suit of the Council of Virginia, the King desires he will prepare a grant of denization for Mons. Beaumont now bound thither, with special proviso not to pay more customs and subsidies than a natural born subject. [*DOMESTIC Corresp. Jac. I., Vol. CLXIV., No. 85, Cal. p. 381.*]
- Nov. 28. 29. The King to the Commissioners and Company of Virginia. Recommends James Stuart for some fit employment, on account of the zeal and good affection which he hath shown for the advancement of the plantation in Virginia.
- Dec. 2. James City. 30. Gov. Sir Francis Wyatt and Council of Virginia to Henry Earl of Southampton and the Council and Company of Virginia. Have received letters from the Privy Council of 19 Dec. 1623 in behalf of Capt. John Martin, which, by divers reports, he has little deserved. Widow Smaley when she arrives from New England shall find all lawful favour. God has given them a great victory over Otiotan and

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## VOL. III.

1625.

Council for release from imprisonment, and declares that he did not take soundings of the rivers and harbours of Virginia as asserted by the Virginia Company. [*See DOMESTIC Corresp. Car. I., Vol. II., No. 122, Cal. p. 32, and Vol. III., No. 32, Cal. p. 38.*]

January.  
Virginia.

35. Musters of the inhabitants of the college land in Virginia; of the neck of land in the corporation of Charles City; West and Shirley Hundred; Jordan's Journey; Chaplain's Choice and the Truelove's Company; Peirse's Hundred; Pasbehaighs and the Maine belonging to the corporation of James City; James City and Island; of a neck of land near James City; Hog Island; Martin's Hundred; Mulberry Island; Wariscoyack; Bass's choice; Newport News; Elizabeth City; and of the Eastern shore over the Bay; taken between the 20th Jan. and 7th Feb. together with the names of the ships in which the people arrived in the colony, and a list of the provisions brought by each; also a list of the dead in the several plantations. 116 pages.

Feb. 4.  
James City.

36. Gov. Sir Francis Wyatt and Council of Virginia to Earl of Southampton and Council and Company of Virginia. Send, as commanded, particulars of their proceeding and orders upon the complaints of Capt. Martin against Sir Geo. Yeardley, as also concerning the cattle in question between him and Capt. Bargrave. Cannot but praise the Company's charity in forgiving the many foul injuries and slanders, some particulars of which they inclose, and of which Capt. Martin has boasted. Complain that their government has been shaken and weakened by rumours spread at the coming in of the Commissioners, which are now revived by Capt. Martin. *Inclose,*

36. I. *Answer of Sir George Yeardley, defendant, to the demand of Capt. John Martin, complainant; whereby he requireth recompense for wrongs done him, touching the right to certain cattle in Virginia, left in the custody of Lieut. Edm. Saunders.*

36. II. *Orders of the Council of Virginia upon the demands of Capt. Martin, 1624, 27 Dec.*

36. III. *Warrant by the Council for Lieut. Saunders to have the custody of the 17 head of cattle left in Virginia by Capt. Martin, which remain in controversy between him and Bargrave. 1621, May 3.*

36. IV. *Examination of witnesses concerning the demand of Capt. Martin. [Certified copy.]*

Feb. 23.  
Whitehall.

The Privy Council to the Virginia Commissioners. To report upon a petition of Lewis Hughs, minister of God's word, who complains against the Company of the Somers Islands for detaining a great part of his salary, due for several years ministry in those Islands. [*Colonial Entry Bk., Vol. LXXIX., p. 278.*]

April 9.  
Whitehall.

Proclamation forbidding any one to import, buy, sell, or use any tobacco which is not of the growth of Virginia or the Somers Islands. [*Proclamations, Car. I., No. 6.*]

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## DOCUMENTS

### *Lord Sackville's Papers respecting Virginia, 1613-1631, I.*

LIONEL CRANFIELD, first earl of Middlesex, was lord treasurer from September 30, 1622, to May 13, 1624, and thus during nearly all the *Sturm und Drang* period of the history of the Virginia Company, and before that he had been for several years surveyor general of the customs. Many papers respecting the company and respecting Virginia came therefore into his hands, and when he retired from office he took many with him, according to the custom of the time. The second and third earls dying, these papers came to the hands of his daughter Frances, who married Richard, fifth earl of Dorset, whose father Edward, fourth earl, had, as Sir Edward Sackville, played an important part in the Virginia Company. Therefore Charles, the sixth earl, the poet, son of Richard Sackville and Frances Cranfield, may have inherited Virginian papers from the Sackville house as well as from that of his mother. From him Cranfield's papers descended to his son, grandson, and great grandson, the first, second, and third dukes of Dorset. While they were in the hands of the third duke, who was ambassador to France from 1783 to 1789, and died in 1799, they were examined by Dr. Peter Peckard, master of Magdalene College, Cambridge, when he was preparing his *Memoirs of the Life of Mr. Nicholas Ferrar* (Cambridge, 1790).<sup>1</sup>

John Ferrar, in the biographical sketch which is the foundation of Peckard's book, in speaking of the two volumes of records of the Virginia Company, which Nicholas Ferrar had prepared for the Earl of Southampton (the same volumes which are now in the possession of the Library of Congress, and which it has printed under the editorship of Miss Kingsbury), says that Southampton entrusted them to Sir Richard Killigrew, and he to the fourth Earl of Dorset, "and it is hoped that this noble family still hath them in safe keeping".<sup>2</sup> Upon this, Peckard says in a foot-note, "On application to the [third] Duke of Dorset, his Grace with the utmost liberality of mind and most polite condescension, directed his library to be searched for this manuscript. The search was fruitless; but some

<sup>1</sup> Peckard, p. 156.

<sup>2</sup> John Ferrar, writing after 1646, in Peckard, *ibid.*

I hope at the comynge home of the shipes which I hope shalbe the firste that comes for Englande, he shall receive a good parsell of Tobacoe from me with good profet: praye forgete me not to all the reste of our good frindes yourselfe and your wyfe, my brother Richarde<sup>59</sup> and his wyfe with your fatter in lawe and mother and all the reste not forgettinge my chiller whom I praye God to blesse and us all and sende us a joyfull mettinge. This in some haste. I leve you to the mersifull tuision of thallmyghtie in whom I reste

Your loving brother,  
ROBT. BENNETT.

Praye comende me to Mr. Bowne and tell him that his boye is with me, for vittilles being scarse in the contrye noe mane will tacke servantes. Soe he shalbe with me untill I cane put thinges forthe. Thancke him for the cheese he sente me, but his boye made use of. Since Tho. Pope and Mr. Danell are gone to George Harison<sup>60</sup> to live with hime untill the crope be in. Mr. Kinge's mane rane awaye in Spayne, the reste I received all well, God be thanckd.

[*Endorsed:*] 1623 From Brother Robert dated in Bennettes Wellcome the 9th June. [*There follows a summary of the document.*]

[*Endorsed by one of the Lord Treasurer's Secretaries:*] 9 Junii, 1623. Robert Bennett.

[*Addressed:*] To my Lo. Brother Mr. Edward Bennett, Merchant in Bartholomew Lane in London.

XII. CAPTAIN JOHN BARGRAVE TO LORD TREASURER MIDDLESEX, JUNE 10, 1623.<sup>61</sup>

*Right Honorable*

The Kinge, the State, the plantacion, and my poore self, will all have cause to thank you for procureing this Commission.<sup>62</sup> Expedition will

<sup>59</sup> Associated in the patent.

<sup>60</sup> Mar. 6, 1621, Governor Yeardeley makes a grant of 200 acres on the other side of the river opposite the governor's mansion house, to George Harrison of Charles City, gentleman. Harrison in letters to his brother John in London, May 12, 1622, and Jan. 24, 1623, speaks of "Cousin Bennett" and of accounts with Mr. Bennett. He died in the spring of 1624, as the result of a duel. *Cal. St. P. Col.*, I. 25, 29, 36, 61; Brown, *First Republic*, pp. 581-582.

<sup>61</sup> No. 6204. Capt. John Bargrave of Patricksbourne in Kent, brother-in-law of the dean of Canterbury, brother of a later dean, and father of a canon of that cathedral (Hasted, *History of Kent*, III. 721), was an esteemed but contentious member of the company, who had sued or entered complaints against a varied number of its officers and members, and had offered no less than five treatises on the reform of the government of Virginia. A few days before this, May 16, he had shown Sir Nathaniel Rich such a paper and accused Sir Edwin Sandys of grave political machinations. *Records of Va. Co.*, I. 444; *Cal. St. P. Col.*, I. 28-32; Brown, *First Republic*, pp. 446-448, 529-530. See no. XV., below. Cranfield had been made Earl of Middlesex Sept. 17, 1622.

by one Farrar in the Court of Common Pleas, for the recovery of his monye lent his majestie at his going into Scotland. I moved my Lord since that at Whitehall, and his lordship appointed me to repaire unto you for an answer. Good Sir favour me soe much as to mind my Lord of the busines and the rather because yt appeares by a subscription to the copy of the wrytt delivered to my lord that Farrar makes Accompt to find an easy way given to his proceedings. Good Sir favour my late indisposicion so much as to procure my Lord's answer [and] appoint me a tyme when I shall attend you for that, which yf yt bee not speedy, will come too late. So Sir I rest

Yours very assuredly  
to be commanded

November 9, 1623

ROB. BACON.

[*Endorsed by Willis:*] Captayne Bacon, for stay of Farrar's suite against the citty.

[*Addressed:*] To my very worthy friend Mr. Willis, Secretary to the Right Hon'ble the Lo. Thr'er.

XV. CAPTAIN JOHN BARGRAVE'S PROPOSALS, DECEMBER, 1623.<sup>70</sup>

*Right hon'ble.* I have tendered to my Lord President<sup>71</sup> and some other the Lords of the Councell a forme of Pollicy thus condicioned.

1. Firste I undertake to shew the meanes to drawe a sufficient number of men that have good estates here to plant in Virginia with their persons and goods and to cause the planters in Virginia to plant estates in England.

2. Secondlie soe to sever and devide the faculties of Soveraigntie and the Commaund of the forces amongste those men soe estated, that they shall never meet united in power, but to advance our polliticke end, of houldinge the plantacion to England.

3. Thirdlie by makinge use of the naturall strength and lardgenes of the place soe to Marshall those men as they shall not onely make the plantacion spread and growe to finde out the best Commodities and enlarge the king's domynions, but they shall secure it both from Forraigne Enemies, and enable it to give lawes to the domesticke Indians.

4. Fourthlie the ymployinge those men there to make the beste and suddenest returnes hether.

5. Fiftlie the mannaginge and orderinge those returnes soe as they shall not onely supplie and maynteyne the plantacion with apparrell and necessaries but it shall make a publique stocke and treasury that shall increase as the plantacion increaseth.

6. Sixtlie the Patent standing as it doth and the practice and faction

<sup>70</sup> No. 6157. See no. XII. See p. 765 of this volume for an addendum to this note.

<sup>71</sup> Henry Montagu, viscount Mandeville, afterward earl of Manchester, lord president of the council 1621-1628. The "forme of Pollicy" here described is to be found among the papers of his descendant the Duke of Manchester. Hist.

beinge taken away, it shall have such further liberties and jurisdictiones added to the government, as shalbe necessarie and for the good of the plantacion.

7. Seaventhlie and lastlie, the doeing of all those thinges by waie of righte and intereste to the maynteynance of Justice and peace, and to the honor of God our king and state.

All theis qualities beinge treated of in five severall treaties are lastlie composed into one forme w'ch may aptlie be termed a Military intendencie by tribe it beinge a way not onely to plant Garrisons without paie, but each Garrison bruining with it a certeyne revenewe to the Crowne it shall tie Virginia as fast to England as if it were one *terra firma* with it.

The brute of it I had from Charles the 5, and if he himselve or kinge Phillip his sonne had used the like pollicie in the West Indies, Low Countries, Millanie, Naples and the rest of his provinces to mainteyne his soveraignty there, he had not spent soe many Millions to keepe Garrisons as he hath done, neither wold his provinces be soe ready to fall from him as now they will be, if this plate fleet should faile him.<sup>72</sup>

I ever held (and soe I expressed myselve in my Articles 2 yeeres sithence at the Councell Board)<sup>73</sup> that this busines must be tenderly handled till the public stocke was gayned and the forme was consented to by the company. And that this taking away the patent from the company is merely by a devise of the delinquents whoe havinge fowerscore articles put in against them and but 4 of them examyned doe by troblinge the busines and makinge the company to give over their Compl'ts conceal from the kinge the Iniquitie of the former governem't, it will appeare by theis reasons followinge:

1. First it will weaken the confidence that Patentees should have in Patents.

2. Secondlie it will appeare that the company and the governem't by voices must by necessitie contynue, aswell for their grantinge of Patents, because the kinge hath alreadie granted them the soile of the Contry as also for the giving of their consent to lawes that shall bynde their estates, it beinge the right of all free subjects.

3. Thirdlie the forme proposed (consideringe the former reason) must be consented to both by the kinge and company. By the kinge because there will be in it divers priviledges and Jurisdictiones that transcend to Common law, and all authority formerly granted, By the Company because the forme will bynde their estates.

4. Fourthlie the patent was granted beinge to the adventurer and planter and the government beinge in the company here, if the company wil by consenting to this forme transfer the government to the Planter

<sup>72</sup> Captain Bargrave apparently thought that the fleet of the Dutch West India Company under Jacob Willekens and Piet Hein, which sailed out this month against Bahia, might capture the King of Spain's annual silver fleet—as Hein did in 1628.

(to whom of right it belongs) there is noe necessitie that the Patent must be delivered.

5. Fiftlie because this consent of all parties interested in the plantacion will make the forme more firme and perpetuall.

6. Sixtlie all changes in governement should be insensible gentle easie and not extorted.

7. Seaventhlie because this very governement doth make many adventure w'ch otherwise would not.

8. Eightlie because everythinge should be fostered by that that bred it. And the Companie havinge bred this plantacion it should likewise have a hand in the fosteringe of it.

9. Nynthly because it is a question whether it be fit that the kinge should take the name of the plantacion as a worke of his owne, till such time as the state did so that it should be able to Subsist of it selfe and to defend it selfe against forraigne and domesticke power.

10. Tenthly because the kinge will have righte in the benefitt that shalbe made by the publique servants sent by reason of his soveraigntie, though he be noe more seene in the busines than formerly he hath byn.

11. Lastlie because the plantacion beinge divided into severall Collonies each one of them Consisting of three hundred planters, if the said Collonys shall nomynate out of the Company heere three adventurers for each one of them, two of w'ch shall doe their busines, as the Comittees doe now, and the third to be Agent for them to preconsult in matters that shall concerne the plantacion and to make contracts with the king or Company, and the whole Classis of their pre-consulters having a Negative voice this will both prevent all prejudice that shall come to the plantacion by practice and faction of the popular governement here and will alsoe (as the state desires) drawe the governement into fewer hands and then there will nothinge remayne in the company but the passing of patents, together with their consent to lawes that shall bynde their estates without the w'ch noe man will adventure.

And whereas the state takes it ill that there are soe many counsellors made, the reason of the doeing of it was to draw men of quallity to come to the Courte, and if all shalbe put from the Counsell, that forbear comeinge together with those that are not sworne, the counsell will quicklie be found not to be many.

And whereas the lords doe desire that both the governem't in Virginia and the Governement here should have relacion to the Lords of the Counsell there is such a Clause in the patent alreadie, that no weightie busines shalbe done but fower of the great lords and standinge officers of the Counsell shall be made acquainted and give their consente to it.

Consideringe theis reasons my humble suite is that yo'r pet. may be suffered and the Companie may be comaunded to make good their Compl'ts before the Comissioners that the kinge takinge notice who have abused

administred, and that in the meane tyme there may be a Comittee or refference to some best experienced in such publique busines either of the Company or otherwise that may examine correct amend or allow of the governement proposed that soe both the lords and the Companies agreeinge in one end to wit the good of the plantacion the busines may goe cheerily forward.

yo<sup>r</sup> Lordshipp's

JOHN BARGRAVE.

[*Endorsed in the hand of Richard Willis:*] John Bargrave his Propositions concerning Virginia, Received 7<sup>o</sup> Decemb. 1623.

XVI. PETITION OF JOHN WOODALL, MARCH (?), 1630.<sup>74</sup>

To the right honorable the Lords and the rest of his Majesties most honorable privie Councill

The humble petition of John Woodall  
an adventurer and planter of the  
Collony in Virginia

Humblye sheweth that your petitioner having ben longe an Adventurer thither did heretofore buy an estate of Lands, goods and chattells which did belong unto Sir Samuell Argall Knight deceased sometimes Governour there,<sup>75</sup> whereby your petitioner was occasioned to send Factors and Agents theither to gett the sayd estate into his possession.

But soe it is, may it please your good honours, that since the departure of the sayd Sir Samuell Argall from that collonie (being about twelve years sithens)<sup>76</sup> the sayd estate by divers mutations there is disperced into many men's hands whoe now frame unto themselves a colorre to delaye and detayne the same from your petitioner, by reason of some controversies and difference which happened concerning the government wherein divers accusations were objected against the sayd Sir Samuell for supposed wrongs by him don unto the publique there, which though they were not proved neyther did they ever proceed to any tryall of lawe, and that only some of his goods were sequestred, yett neverthesse your petitioners factors have been still delayed upon pretence of those Controversies.

<sup>74</sup> See no. V., above, and note 31, *Va. Mag. of Hist.*, XXIII. 13. and nos. XVII.-XXI., below. It appears that this petition was the occasion of the letter addressed on Apr. 30, 1630, by the Privy Council to the governor and council of Virginia, and mentioned in the order of June 30, *Acts P. C. Col.*, I. 163; hence the date here suggested.

<sup>75</sup> Argall died in 1626. A petition of Samuel Percevall and Ann his wife, Argall's daughter and heiress, presented to the House of Lords, June 25, 1641 (House of Lords MSS.), declares that Woodall had wrongly acquired from them Argall's estate and cattle in Virginia, and by influence in the Privy Council had eluded payment; the petition will be printed in vol. I. of Dr. L. F. Stock's *Proceedings and Debates of Parliament respecting North America* (Carnegie

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The American Historical Review, 27, 738-765 (July 1922)

## DOCUMENTS

*Lord Sackville's Papers respecting Virginia, 1613-1631, II.*

### C. CONCERNING THE TOBACCO CONTRACT.

IN this division of Lord Sackville's papers relating to the early history of Virginia, the first place belongs to a group of documents exhibiting the successive stages by which the contract for the exclusive importation of tobacco by the Virginia and Somers Islands companies came into its final form.

On July 3, 1622, in a "Great and General Quarter Court" of the Virginia Company, a series of propositions concerning the proposed contract was agreed upon. These propositions, seventeen in number, were entered in the company's records, and their text is to be found there (*Records of the Virginia Company, II. 85-88*). Of this draft there is a copy among Lord Sackville's papers, no. 6158. It is marked in red ink as "No. 3", that number referring to the series, numbered from 1 to 21, spoken of (and perhaps so numbered) by Dr. Peter Peckard, *Memoirs of Nicholas Ferrar*,<sup>1</sup> as has been mentioned in the introduction to the first installment of these papers (pp. 493-495, *supra*). Since this document agrees entirely with that which is printed in the *Records* of the Virginia Company under date of July 3, it is not necessary to print it here.

On July 17, in an ordinary court of the Virginia Company, Sir Edwin Sandys reported that the Somers Islands Company, in their Great Quarter Court held on July 10, had given their consent to the proposals which the Virginia Company had accepted the week before, with the exception of article 5, relating to customs dues. That article had provided that, instead of the levy of sixpence a pound on roll tobacco and fourpence a pound on leaf, the companies should pay in each of the three years of the contract a sum equal to the average of what had been due, under the rates named, in the seven years preceding. To this the Somers Islands Company demurred, preferring to pay the existing duty on the quantities actually brought in, and arguing also that such an arrangement would make the customs officials more vigilant to prevent the bringing in of Spanish tobacco by interlopers than if they were sure in advance of all that they could anyway get. "Whereupon", say the *Records* of the Virginia Company,<sup>2</sup>

<sup>1</sup> Pp. 156-165.

<sup>2</sup> *Records*, II, 98.



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## HOBBS, SANDYS, AND THE VIRGINIA COMPANY

NOEL MALCOLM

### I

The early years of Thomas Hobbes are almost entirely sunk in obscurity. Biographers from George Croom Robertson (1886) to Miriam Reik (1977) have added little, for the period before 1628, to the scant information provided by Aubrey and the Latin *Vitae*. If to this we add the handful of details which have been gleaned by modern scholarship, the picture remains a bare one, and one that can be briefly summarized.

On leaving Oxford in 1608, Hobbes was employed by William, Lord Cavendish as a tutor for his son, who was Hobbes' junior by two years. Within a few years, Hobbes and his pupil (who, to prevent confusion, will henceforth be referred to simply as 'Cavendish') went on a grand tour of Europe, the chronology of which remains uncertain.<sup>1</sup> Between 1615 and 1628 Cavendish corresponded with Fulgenzio Micanzio, whose letters Hobbes appears to have translated from the Italian.<sup>2</sup> It has also been claimed, though on much more dubious grounds, that Hobbes was involved in the composition of the volume of essays entitled *Horae subsecivae*, which was published anonymously in 1620, and of which a prior version is preserved in manuscript with a dedication by 'W. Cavendisshe' to his father.<sup>3</sup> Little can be added to these facts up to 1628 (the year which saw the publication of Hobbes' translation of Thucydides and the death of his pupil-patron), except Aubrey's account of the connexion with Bacon, and one letter written to Hobbes in 1622 by Robert Mason, who appears to have regarded him as a well-placed source of political gossip. At the start of his letter, Mason encouraged Hobbes to carry on 'communicating with your friend such occurrences of these active times, as your vacant hours from your most serious affairs shall permit you'.<sup>4</sup> What exactly these 'most serious affairs' were has not been determined.

Clearly, the nature of Hobbes' employment in the Cavendish household gradually changed from that of a tutor to that of a secretary, as his pupil developed a political career at court and in parliament. A legal document drawn up for Cavendish's widow in 1639 describes Hobbes as 'having been

<sup>1</sup> See the appendix to this article.

<sup>2</sup> Discussed by Vittorio Gabrieli in 'Bacone, la riforma e Roma nella versione Hobbesiana d'un carteggio di Fulgenzio Micanzio', *The English Miscellany*, viii (1957), 195-250.

<sup>3</sup> Friedrich Wolf, *Die neue Wissenschaft des Thomas Hobbes* (Stuttgart, 1969); see also the appendix to this article.

<sup>4</sup> F. Toennies, 'Contributions à l'histoire de la pensée de Hobbes', *Archives de Philosophie*, xii, cahier 2 (1936), 81.

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## Notes and Documents

### A Letter of Advice to the Governor of Virginia, 1624

J. Frederick Fausz and Jon Kukla

**G**OD forgive me," wrote planter William Capps from Virginia in 1623, "I thinke the last massacre killed all our Countrie, besides them they [the Indians] killed, they burst the heart of all the rest." In a letter to John Ferrar of the Virginia Company reflecting the despair and fear that followed the 1622 Indian uprising, Capps commented that "our . . . Governor, [is] so good so carefull mild, Religious, just honest that I protest I thinke God hath sent him in mercie for good to us, he undergoeth all your cares and ours, and I feare not but god will bless him in all proceedinges[;] but who must be th'Instrument to make all this whole againe?"<sup>1</sup>

Sir Francis Wyatt, the thirty-three-year-old governor and captain-general of Virginia, was the colony leader who bore the heaviest burdens of responsibility and authority following the "massacre" of March 22, 1621/2, which claimed over three hundred English lives. Knighted in 1618 and appointed governor in 1621, Wyatt was the eldest son of George Wyatt, esquire, of Boxley Abbey, Kent, and a nephew-in-law of Sir Edwin Sandys of the Virginia Company and poet-scholar George Sandys, the company treasurer in Virginia.

When Wyatt assumed office in November 1621, he brought to Virginia a bearing and background derived from his family's place among the landed gentlemen scholars of Kent. Wyatt and many of the councillors with him in the colony represented those county elites whose gentility, education, and

Mr. Fausz, formerly an editor with the Institute, is a predoctoral fellow at the Newberry Library's Center for the History of the American Indian. He is completing a dissertation entitled "The Virginia Indian Uprising of 1622: A Historical Study of Ethnocentrism and Cultural Conflict" (College of William and Mary). Mr. Kukla is director of publications at the Virginia State Library and has a dissertation in progress entitled "Political Institutions in Virginia, 1619-1660" (University of Toronto). They are grateful to the right honorable earl of Romney for permission to publish this document.

<sup>1</sup> William Capps to Dr. Thomas Wynston, Mar. or Apr. 1623, in Susan Myra Kingsbury, ed., *The Records of the Virginia Company of London* (Washington, D.C., 1906-1935), IV, 38, hereafter cited as *Va. Co. Recs.*; Capps to Ferrar, Mar. 31, 1623, *ibid.*, 76.

This transcription was made from a microfilm copy in the Manuscripts Division of the Alderman Library, University of Virginia (accession no. 3182, reel M-284), lent through the courtesy of Edmund Berkeley, Jr., curator of manuscripts. Copies of this film were recently added to the Virginia Colonial Records Project by permission of the earl of Romney.<sup>29</sup>

The original spelling, capitalization, and punctuation have been retained, except that the thorn and the letters *j* (*i*), *u* (*v*), and *v* (*u*) have been conformed to modern usage. Where necessary for clarity, punctuation has been added in brackets. Abbreviations have been expanded, superior letters have been brought down to the line of text, and portions of the manuscript which were crossed through by Wyatt have been set in italics. Words obscured by binding have been supplied in italics in brackets on the basis of the draft letter. Pagination of the signed letter is indicated by bracketed numerals and recto/verso designations. Significant alternative readings from the unsigned manuscript version are given in footnotes.

[1<sup>r</sup>] The ground of al happie government (sonne Francis) is the holy protection of God in Christ Jesus, and to it the true Faith and due reverence of him accordinge to his word, is the nighest and fairest sterage. This I am perswaded you have and doe cheifly rely on, and ever shal, never in vaine. The rather you may and wilbe drawen and driven hereto by Gods singular favor who hathe held his winge of blessed defence over you and thos you had more special care of in this dangerus accident which hathe falne in the entry of your employment in thos partes where you live far from needful and reddy assistance of counsel by aides, with Savages estranged from al Civilitie and Religion, and therwith from their owen good and les trust of any by them to you. From the same goodnes hathe bin that here is raised mens good opinions to interpret wel of your indevors ther, not to be any defect in you, but an agreinge vertue by mildnes to bringe on thos Barbarians to Civilitie and Christianitie, and so to their owen good cheifly intended; in which respect some wishe you held stil the same cours of gentlenes, rather then severitie, they mindinge (perhaps) more their profit, then your peril.<sup>30</sup> Yet can I wel

<sup>29</sup> See [George Reese], Virginia Colonial Records Project, survey report 1267 (old ser. no. 1391), deposited at the Colonial Williamsburg Foundation research library, microfilm reel M-999-1; the Virginia State Library and the Virginia Historical Society, Richmond; and the Alderman Library, University of Virginia, Charlottesville. For a calendar of other colonial documents and family papers in the Wyatt MSS see survey reports 1268 and 1269 (old ser. nos. 1392-1393).

<sup>30</sup> As alluded to in this passage, the years immediately prior to 1622—characterized by an official peace with the Indians and a corresponding "boom" in tobacco production—stood in stark contrast to the hysteria, dislocation, and declining morale of the immediate post-massacre era. The William Capps mentioned above, a Virginia planter more concerned with tobacco profits than with military security, wrote: "I will forswear ever bending my mind for publique good, and betake me to my owne profit." Capps to Dr. Wynston, Mar. or Apr. 1623, *Va. Co. Recs.*, IV, 38. See Edmund S. Morgan, "The First American Boom: Virginia 1618 to 1630," *WMQ*, 3d Ser., XXVII (1971), 181.

incline that you use suche an easie hand in managinge the headstrong wildnes of the People, as you hold stil a stronge Cord on them if they shuld play the Jades<sup>31</sup> with you, or take corrage therto by your staid hand over them. I esteeme also the same Devine gratusnes hathe bin careful in warninge to arme you by this clap, against too much trust in the flatteringe face of a barbarus faithe, by which only they hope to harme you. And this might have bin your best advice in the beginnige in avoidinge of the Pawne mate,<sup>32</sup> soonest given where le[a]st lookt for.

Your service intendeth a Plantation, which the name shewes deduced from orchards settinge not aforetime manured. The Romans gave it the name of a Colony to the same effect. Adam was first set on Worke in Plantation of the world, and the Plantation of the Church had the same beginnige. His Children when al was theirs, the one was a Tiller of the ground, th'other a Grasiar. Ther yet then grew the seedes of bluddie malice in the springe of the Church, when Sathan (as now with you) enviinge it, sought to exterp[ate] it, by the cruel hande of one brother against an other and that for Religion, which chei[f]ly should have guarded their faithes each to th'other. Examples of Plantation are best taken out of the Scriptuers, and of best fruit. The inventions of Sciences in this beginnige had beginnige. Spade workes, useful in al, Navigation, Carpentership, Ieronworkes, Musicke, vineyardinge, refreshments in their werie travels, with Noah and his posteritie grew, and Husbandlife and Soldgership with the Patriarks in Tents were bred and nurished. The Canticles describes the Churches Plantation by the Husbandry of Christ and his Spouse raisinge it to the hight of a kingdome, and under tearmes of the Spiritual sence [1<sup>v</sup>] yealds a most perfect Idea of the best Plantation.

Your owen partes are to shine in al partes of vertue and vertuous example to al in al partes under your government, and therin you are to study to have your self governed also by their instruction who have limmited your government to you, from which you may permit your self little to stray, and never without greate and good allowance of reason to be aproved of al men, and on lest adventure on adventure. Authoritie, yours, and of your assistantes is wonne and streanghtened by wisdome, fortitud, justice, and integritie, to become an necessary instrument for the reddy and stronge execution of al designes maturly resolved and concluded on, and so much more needful for you to put more force to raise it up when declined, then to keepe it up when it is yet standinge right at the first. Also the first prooffe herein bendet[h] or slacketh men[s] expectations for and towards the good hope and succes to al

<sup>31</sup> "Jade" was a contemptuous name for a worthless or unruly horse. *Oxford English Dictionary* (Oxford, 1933). At this time strong reins were needed, since "extreame libertie . . . [was] worse than extreame Tirranie." Capt. John Bargrave to Lord Treasurer Middlesex, June 10, 1623, *Va. Co. Recs.*, IV, 223-224.

<sup>32</sup> The Indian attack of Mar. 22, which caught the English unaware, is here compared to a "Pawne mate"—the unexpected checkmate by a mere dawn. Loades.

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## THE DISSOLUTION OF THE LONDON COMPANY FOR VIRGINIA

THE study of Virginia as the "First Republic in America" rather than as the earliest of English experiments in colonization, and the dependence upon partisan and often inaccurate records by scholars who searched for the "Genesis of the United States" in the light of their enthusiasm for a fully developed American democracy, have been largely responsible for the belief that the well-known factions in the Virginia Company represented the embryonic parties of England's Civil War. Consequently, the events which led to the interference of the government and the subsequent dissolution of the company in 1624—one of the most complex problems in colonial history—have been rather simply explained as a struggle "between the Patriot party, which determined to plant a popular course of government in the New World, and the Court party, which opposed that purpose".<sup>1</sup>

The "Patriot" party was found in the supporters of Sir Edwin Sandys, among whom the Earl of Southampton and the two Ferrar brothers were the most prominent. The establishment of the Virginia assembly in 1619 has been taken as evidence of their determination to carry through an experiment in democracy, and it has been assumed that James objected to the form of government in Virginia. His opposition to the Sandys party has also been explained by his supposed declaration that the company was "a seminary for a seditious Parliament", a quotation which despite its frequent appearance in American histories is supported by records of the most doubtful historical value.<sup>2</sup> The king, however, was not without friends among the adventurers, for Sir Thomas Smith, the Earl of Warwick, Sir Nathaniel Rich, and Alderman Johnson were the leaders of a group which by its opposition to Sandys has become famous as the "Court" party. A temporary reversal following the Indian massacre of 1622 was thought to have given

<sup>1</sup> Alexander Brown, *English Politics in Early Virginia History*, p. 5.

<sup>2</sup> Arthur Woodnoth, *A Short Collection of the Most Remarkable Passages from the Originall to the Dissolution of the Virginia Company* (London, 1651), p. 4. Woodnoth, a relative of the Ferrars, wrote about 1644, entirely from memory. John Ferrar, writing a few years later, attributed the statement to the Spanish ambassador, Count Gondomar, who was believed to have used every influence to procure the overthrow of the company. The story came to Ferrar in a very roundabout fashion. He had it from Southampton, who had been told by two lords at court that they had overheard Gondomar. Peter Peckard, *Memoirs of the Life of Mr. Nicholas Ferrar*, pp. 115-116.



James opportunity for a conspiracy with Smith and Warwick to defeat Sandy's "patriotic" plans through the dissolution of the company. The success of this effort made Sandys one of America's earliest heroes, and his tomb in Kent was marked by Virginia's most enthusiastic historian as a shrine to American democracy.<sup>3</sup>

This is in many ways a plausible explanation, and it was long accepted by the historians of both countries. For some time, however, it has been discredited by scholars better acquainted with men and events in Stuart England, notably Professors W. R. Scott and A. P. Newton.<sup>4</sup> They have seen that political differences cut across both factions, and a fuller appreciation of the commercial character of the organization has led to the suggestion that the troubles which divided the company were fundamentally economic. The story has not yet been rewritten on the basis of adequate research, nor can an exhaustive study be presented in a paper of this length. A brief examination, however, of the investigation instituted in 1623 by order of the privy council is sufficient to establish the truth of an economic rather than a political interpretation.

The explanation of this action by the lords of the council is to be found in the economic decay of both company and colony attendant upon violent disputes among the adventurers which had their origins in the failures of the business during Smith's governorship. The disappointments of his administration were responsible for an attempt by Sandys to make a special audit of Smith's accounts. Quarrels between the officers and auditors extending through 1617 and 1618 spread into the company, and the final result was an effort by Sandys to displace the governor. In alliance with the Earl of Warwick and by arguing that a change in administration might bring a change in fortune he was successful in 1619.<sup>5</sup>

The new governor then undertook to lead the company in a very ambitious program calling for the restoration of the company's land which had decayed with the development of private estates, for the production of many new commodities in order that the colony might not be so dependent upon tobacco, and most important of all for a rapid increase in population.<sup>6</sup> The success of such a program required

<sup>3</sup> Brown, pp. 253-254.

<sup>4</sup> W. R. Scott, *The Constitution and Finance of English, Scottish, and Irish Joint-Stock Companies to 1720*, II. 266-289; A. P. Newton, *Colonising Activities of the English Puritans*, pp. 20-25.

<sup>5</sup> J. H. Lefroy, ed., *The Historie of the Bermudaes* [Hakluyt Society], pp. 128-131; Alexander Brown, *First Republic in America*, p. 279; Woodnoth, pp. 5-6; Susan M. Kingsbury, ed., *Records of the Virginia Company of London*, I. 212.

<sup>6</sup> *Records of the Virginia Company*, I. 266-267, 350-351.

the support of a united and vigorous company. Instead, the governor had only the help of a faction in an organization torn by feud and strife, and weakened by years of disappointment. Extended and badly managed disputes regarding Smith's accounts widened the breach between the old and new officers. A bitter controversy with Warwick over piracy alienated other powerful men. The most substantial groups in the company were thus in opposition to Sandys, and he was forced to rely upon a party composed chiefly of minor adventurers. By manipulation of the voting he was able to maintain his control, but even in doing so his difficulties were multiplied, for the grievances nursed by his powerful opponents assumed greater weight when it was felt that the opportunity to inflict these injuries came by unfair means. Not only did they practically withdraw from the business except as their own interests were involved, but their resentment was such that some of their actions gave Sandys a very real sense of personal injury. Thus a restoration of unity within the company became practically impossible.

Under these circumstances Sandys was forced to rely upon means of support which supplied neither a regular nor an adequate income. Lotteries were the source of income for almost half his annual budgets before 1621.<sup>7</sup> Their suspension in that year upon complaint of Parliament left little more than the efforts of individual adventurers who hoped to realize a profit by supplying the colonists with certain necessities. Repeated failure in these enterprises made it increasingly difficult to supply the needs of the colony. In 1621 the company wrote that the last year's 'magazine' had returned with a loss of the principal itself. The 'magazine' of that year had been provided with great difficulty, and with it went the warning that "if this succeed like the former, it is vain ever to hope for like supplies from hence". When in 1622 news of the massacre reached the company it was forced to reply: "The fear of your want of corn doth much perplex us, seeing so little possibility to supply you; the public stock being utterly . . . exhausted, and last year's Adventures made by Private men not returned . . . we have no hope of raising any valuable Magazine."<sup>8</sup>

— These financial embarrassments were made more serious by the fact that Sandys in his enthusiasm had overdone his policy of colonization, and sent hundreds of colonists without proper provision for their shelter, health, or food. His whole program was founded on the supposition that the colony would be self-supporting, and he seemed

<sup>7</sup> *Ibid.*, I. 351-352, 396-397, 411-412, 492-493.

<sup>8</sup> Manuscript Records of the Virginia Company, vol. III., pt. 2, pp. 19-20, 23a-25.

incapable of realizing by his early failures the error in this belief. Governor Yeardley wrote in 1620: "I pray think it not strange I should write thus to send victuals with your people for you may be pleased well to conceive that if such numbers of people come upon me unexpected, and that at an unhealthfull season and too late to set Corn I cannot then be able to feed them out of others' labors, what I can and am able to do if you will have patience I will from time to time inform you . . . but both you and I must give leave to time."<sup>9</sup> There were many other letters in the same tenor as that of Captain Nuce, who wrote in 1621: "How so many people sent hither in late years have been lost, I cannot conceive unless it be through water and want, partly of good food, but chiefly of good lodging . . . your provisions fall exceeding short, which is not my Complaint alone."<sup>10</sup> Yet in the summer following the massacre and after Governor Wyatt had warned the company that Virginia faced a winter of starvation unless food could be quickly secured, the company in the same letter in which it deplored its inability to help, spoke encouragingly of the fact that "there come now over in this ship, and are immediately to follow in some others many hundreds of people" sent in the belief that "in the multitude of people is the strength of a Kingdom".<sup>11</sup>

Faced thus with ruin in the colony and bankruptcy at home the officers of the company turned in desperation to the hope of an income from tobacco. The chief problem had been for some time to make a satisfactory arrangement with the government for its importation into England. At the suggestion of the lord treasurer the Virginia and Bermuda companies undertook the sole importation of tobacco, and during the summer and fall of 1622 the terms of a contract for that purpose were negotiated. In these negotiations Sandys was at a disadvantage because of the importance of the contract to the company, the government's dislike of tobacco, and its desire for revenue from that source. The result was that Sandys agreed to terms which he heartily disliked and which the Warwick party absolutely refused to accept. The officers then blundered in trying to force through the companies with the contract a very high salary appropriation for those who were to manage the business. This brought such a storm of protest that all parties returned to the courts and proceeded to spend the winter in opening old wounds and inflicting new ones in a fight so bitter that the country was treated to conclusive proof that the Virginia

<sup>9</sup> Yeardley to Sandys, June 7, 1620, Ferrar Papers.

<sup>10</sup> Nuce to Sandys, May 27, 1621, Ferrar Papers.

<sup>11</sup> Manuscript Records of the Virginia Company, vol. III., pt. 2, pp. 23a-25.

Company was hopelessly divided. While the adventurers fought among themselves and neglected all other business, Virginia passed through its most disastrous winter. Just as the tobacco fight reached its height, news came from the colony of appalling sickness, famine, and death. Among the most painful letters bringing this news were those of Sandys's own brother, George, who asked that some person of "judgment and integrity" be sent to inquire into the state of Virginia where there was "extreme sickness and unheard of mortality". Deaths had mounted to five hundred and there were scarcely as many left, so that the living could hardly bury the dead.<sup>12</sup>

It was under these circumstances that early in April, 1623, Alderman Johnson presented his famous petition to the privy council praying for the appointment of a commission to determine the true condition of the colony when Smith left the government "and what after the expence of so much money is the true estate and condition of those plantations at this present". He desired also a consideration of "how the business of those plantations may be better managed so that all contentions and differences being reconciled, the authors thereof being punished, unity and peace resettled, and the form of governing and directing those affairs being better established, that work may prosper with a blessing from heaven".<sup>13</sup>

The leaders of the two factions were called before the privy council on April 17, and after many bitter exchanges it was decided to appoint a commission consisting of Sir William Jones and six others "to examine the carriage of the whole business". The commission as finally issued under date of May 9 authorized a thorough examination of witnesses and all records in order that there might be discovered any damage to the plantation from frauds or infringements of the charters, what monies had been raised, how levied, and how they had been spent—all with the purpose of determining the true state of the colonies under both Smith and Sandys.<sup>14</sup>

Johnson's petition and the instructions to the commissioners point clearly to the settlement of questions of an economic character. Even stronger proof of this may be found in the evidence brought by both parties before the commissioners in behalf of their respective cases. The indictment of Sandys's administration was prepared by Nathaniel Rich, and a full record of his attack has been preserved in the Man-

<sup>12</sup> George Sandys to Samuel Wrote, March 28, 1623, Manchester Papers, 319.

<sup>13</sup> *Records of the Virginia Company*, II. 373-374 (spelling modernized); Manchester Papers, 328.

<sup>14</sup> P. R. O., S. P., 15/43, 10; Official Papers Pitt Family, Add. MSS. 29975, f. 63.

chester Papers. In this collection are found many serious charges. Reckless and ill-advised expenditure had brought a considerable indebtedness upon the company with no means for its liquidation. Sandys's "wild projects" for the development of new commodities had resulted in heavy losses. Typical of his efforts in this field was the administration of the iron works, which, despite an expenditure of £5000, were declared to have exported nothing more than "a fire-shovel and tongs and a little bar of iron". The slander and injury of the "old adventurers" and the unfair means by which Sandys maintained his control had caused nearly all of the adventurers best acquainted with the plantations to "desert the business". The resulting factions had crippled the company, which under its present organization and leadership was incapable of directing the important affairs of Virginia, as was evidenced by the "most desperate estate" to which the colony had been reduced.<sup>15</sup>

The Warwick party endeavored to prove that under Smith the condition of the colony had been hopeful, but that because of the errors and abuses of the preceding four years the plantations had come to the most miserable state of their history. Rich centered his attack on Sandys's practice of sending large numbers of colonists without proper provision for their reception and care. They had been carried in crowded ships, often with inadequate supplies, so that many died on the way, and those who arrived brought sickness and death. Failure to supply adequate housing, and the inability or neglect to provide sufficient food and clothing had resulted in the death of hundreds of colonists from illness, famine, and exposure. The commissioners were urged to inquire "upon what good and warrantable grounds the Company adventured to send such multitudes of people these four last years, whether the sending of so many people hath not indiscreetly wasted the whole public stock, and been a means to cast away the lives of many of his majesty's Subjects". Rich estimated the number of deaths before 1622 at 3000, declaring that ships had been overcrowded with "a multitude of passengers and store of goods *for private gain* . . . by which means and the short allowance of food to the passengers, they landed half starved, and brought with them their own deaths and infection of others in the Country, so that in three years there died near upon 3000 persons, for which mortality no other cause can truly be shown but the want of houses, pestering of ships, shortness and badness of food." Sandys's ability to attract so many

<sup>15</sup> Manchester Papers, 329, 330, 331, 343, 346, 347, 362.

colonists despite the poor condition of the plantations was attributed to a deliberate falsifying of reports from the colony.<sup>16</sup>

Such was the character of the testimony presented by the Warwick party in support of its request for some reorganization of the Virginia Company. It was in its entirety an indictment of Sandys's management of the economic interests of the company and colony. It is safe to conclude that had there been a political quarrel underlying this dispute, Sandys's enemies would not have hesitated to attack him on this ground, and would at least have incorporated some of their objections to his political opinions in their private papers. It is important, therefore, to note the absence of any record of such an attack in the Manchester Papers.

It is true that there were objections to the "government of Virginia" and a demand for its reform. But these have been entirely misinterpreted, as may be seen by the answer to such attacks. Lord Cavendish prepared the company's defense on the charge that the "Government as it now stands is Democraticall and Tumultuous and therefore fit to be altered and reduced to the hands of some few persons". It was true, Cavendish admitted, that there was some show of democracy, but this was only just "because these Plantations, though furthered much by your Majesty's grace, yet being not made at your Majesty's charge or expence but chiefly by the private purses of the Adventurers they would never have ventured in such an accord wherein they interest their own fortunes, if in the regulating and governing of their own business their own votes had been excluded". It was the most profitable form of government, he continued, because the great supplies necessary for the colonists could be provided only by a large number of people, who would not venture thus if the control were in the hands of a few. There was no way of determining "the judgment of a Company", he concluded, except "by plurality of voice".<sup>17</sup>

Obviously this argument concerned nothing further than the organization and rules of government in the company. It was merely the objection to a form of government which enabled the minor adventurers, by combining and taking advantage of the rule whereby several shares had no more voice than one, to control the company and interests of men with greater holdings. Many historians have failed to understand the use of the word "democracy" in this connection. An examination of Captain John Bargrave's objections to the "government of Virginia", which have been given undue importance, will

<sup>16</sup> *Ibid.*, 298, 330, 331, 343, 344, 347, 362.

<sup>17</sup> *Ibid.*, 360; *Records of the Virginia Company*, II. 352-362.

show that he too directed his attacks at the government of the company.<sup>18</sup> The popular government to which he referred was that of a joint stock company in which part of the stockholders by combining in a party could gain control to the injury of other members. To Americans looking backward over three centuries the "government of Virginia" has quite naturally meant the governor, council, and assembly at Jamestown, but when Englishmen of James I.'s reign used that phrase they thought of a corporate body in London in which resided the real power of governing the affairs of the colony. Far too much of a political character has been read into the history of the Virginia dispute by students who have not carefully studied its records and who have ignored the fact that not only did the form of government in the colony remain unchanged after the dissolution of the company but that it became a model for other colonies established under royal patronage.

The defense of the Sandys party was as completely economic in character as had been their indictment. They endeavored to prove that the colony under Smith was in a miserable state, that since 1619 it had been greatly improved, and that its condition then was more than hopeful. A well ordered government of the company had attracted many new adventurers, and had been reflected in the prosperity and happiness of Virginia. The content of the colonists had "raised . . . at home so great a fame of Virginia" that many people had gone to the plantations and many gentlemen had undertaken the development of private plantations.<sup>19</sup> This ability of the company to attract large numbers of colonists was presented as the chief argument in its case.

Sandys's defense, however, was weak in several essential points. A defunct treasury could not be talked away, and this subject was carefully avoided. None of the efforts at developing commodities other than tobacco had been successful. This was an especially important point in measuring the success of Sandys's administration in 1623 because of the great emphasis which he had laid upon this policy and the general disapproval of tobacco. The company could do nothing, however, but review its efforts, take refuge in the massacre as an excuse for having nothing to show for much work and expense, and express a hope for the future.<sup>20</sup> On only one point in the policies which Sandys so hopefully outlined in 1619 had he been successful, and that was in attracting large numbers of English emigrants to Vir-

<sup>18</sup> P. R. O., C. O. 1/2, 4, 4 I. 7 I.

<sup>19</sup> *Records of the Virginia Company*, II. 348-349, 350, 393.

<sup>20</sup> *Ibid.*, II. 348-350.

ginia. But even here he had blundered miserably, and his affirmations of prosperity and happiness found by them in a new home were completely refuted by the fact that most of them had found only suffering and death.

The accusations of the Warwick party were undoubtedly filled with many exaggerations, but there was no exaggeration in their charge of an appalling death rate among the Virginia colonists. The company's own statements prove the truth of this indictment. Sandys's supporters estimated that a total of 6000 persons had been sent to the colony since the organization of the company, and that of this number not above 2500 had gone under Smith. According to these figures, 3500 represented the number since 1619. The population of the colony when Sandys assumed control was frequently given by him as 1000, and thus the total for the four years preceding 1623 was approximately 4500. Yet in the spring of that year the officers for the company admitted that there were not above 2500 of these left alive,<sup>21</sup> which means that according to the company's own figures almost half of those who had set forth for Virginia or had been living there since Smith's governorship had perished either on the way or after arrival. A death rate of approximately forty-five per cent. was alone sufficient warrant for the charges of the Warwick party and the investigation by the government.

But there was even more justification for condemning Sandys than was admitted by the company, for the figures did not reveal the whole story. A much larger number of deaths was revealed in a communication from Christopher Davison, a member of the council in Virginia, who wrote to Nicholas Ferrar in February, 1624. This letter supplied a detailed census of each plantation at the beginning of that year, which showed a total population for the colony of only 1275, or about half that claimed by the company nine months earlier. When it is considered that 340 of this number had migrated to Virginia so recently as the summer and autumn of 1623, it will be seen that seventy-five per cent. is a more accurate index to the mortality during his direction of the company.<sup>22</sup> This unusually high death rate cut the ground from under the whole case for the company, and gave its opponents

<sup>21</sup> *Ibid.*, II. 398-399.

<sup>22</sup> *Calendar of State Papers, Colonial, 1574-1660*, p. 57.—Some allowance perhaps should be made for colonists who returned to England, although it is doubtful if there were many who did so. The death rate was highest among new arrivals and those who survived were rarely able to meet the cost of a return voyage. Even had the number been large, their return could hardly be considered as strengthening Sandys's case.



their strongest point. It alone was sufficient to establish the basic truth in their charges of mismanagement, negligence, pestilence, and starvation. It was difficult to prove in the face of these facts that the colonists lived a happy and prosperous life.

How far the difficulties of the Sandys party were due to the disasters of the massacre is a debatable question. The company frequently took refuge in that catastrophe, and there can be no doubt that some of the colony's misfortunes could be traced to the destruction and disorganization following in its wake. Failure so complete as that in Virginia, however, can not be explained by any one cause. The massacre can account directly for no more than four hundred deaths. The usual number given for those slain is three hundred and forty-seven. And even if the suffering and deaths of the following winter may be attributed chiefly to the disorganization resulting from this attack, that itself is evidence of weakness and mistaken policies in the earlier conduct of the business. Had sufficient provision been made for defense, had the economic organization been more sound, and the company in a position to send prompt and adequate relief, the colony would have been better able to withstand this shock. Moreover, there is evidence of much suffering in Virginia before 1622. Sandys had overdone his whole policy of colonization, and the massacre is more correctly regarded as revealing the extent of Sandys's failure, than as being the chief cause of that failure.

Regardless of other opinions that may be formed by the careful student of this evidence presented to the king and his commission, there can be no doubt that above all else the opposing factions were fighting over the economic policies of the Sandys régime and their effect upon the colony. It is true that their arguments were colored by hatreds acquired in disputes only indirectly connected with the company's policies, but these did not alter the central theme of their contentions.

It would perhaps be a mistake to disregard altogether the possible effect of Sandys's disfavor at court because of his leadership in the Commons. The government may have been more critical of his administration, more willing to find fault, and James may have found some pleasure in uncovering the failure of his political foe. There can be no doubt that Smith and his associates had the royal ear, and thereby secured an advantage which was denied to Sandys. Yet a survey of the relations between the company and the privy council during the tobacco negotiations and the subsequent investigation of the company's affairs leaves an impression of fairness and lack of pre-

judice. And those who attach chief significance in the five years of Sandys's leadership to a political controversy not only advance an interpretation depending largely upon suppositions for which there is little warrant, but ignore the fact that in the economic condition of both company and colony there was ample justification for the procedure of the government from the investigation of 1623 to the dissolution of the company in 1624.

The story is essentially one of commercial disappointment and the attempt to locate, or perhaps shift, the burden of responsibility. The difficulties of years of unsuccessful colonization had divided the company into two factions and led them into a quarrel so bitter that it produced, or probably merely revealed, an incapacity for successful management in either party, thus making a receivership inevitable. According to the constitution of the time such a receivership had to be administered by the crown. This was a general political fact, and one that extended to cover the troubles of Virginia, but it should not be regarded as arising from the victory of a "Court" party over a "popular" party within the company.

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