

HISTORY OF YORK COUNTY IN THE
SEVENTEENTH CENTURY.

BEGINNINGS OF SETTLEMENT.

The view of Yorktown from the York River has been pronounced by an English traveler as not dissimilar to that of Dover seen from the English Channel. Its long line of cliffs, however, are composed of reddish rock marl and not white chalk. The view both up and down the river is stimulating. Save where the river narrows at Yorktown to a mile, the width for a stretch of twenty-seven miles from Yorktown to West Point is seldom less than three miles, and not far below the town the river expands rapidly till the waters as they enter the Chesapeake Bay or twelve miles distant, at Too's Point, acquire a width of from five to six miles.

At the time of the arrival of the whites the region about the present town on the south side of the river was ruled by the Chiskiack Indians, whose chief town was located on the river at a place about three miles above, now known as "Indian Fields." In 1612 the chief of these Indians was known as Ottahotin. They called the river Pamunkey, but the English at their coming gave it the name of Charles River in honor of Prince Charles, afterwards King Charles I.

The first known visit of a white man to York River was in 1606, when it is reported that a ship sailed up that broad thoroughfare and was kindly received by Powhatan. Then the captain took his ship to the Rappahannock, where despite a similar kind reception, he slew an Indian chief, and carried away some of his people. John Smith declared that this was the reason why, when he was captured in 1607 up the Chickahominy, he was taken on the long trip to the Rappahannock. Powhatan wanted to find out whether he was the same man who had committed the outrage of the year before, but the wicked captain of 1606 was a taller man than John Smith, and the Rappahannock people failed to identify him. So he was taken back again to be rescued by Pocahontas at

Werowocomoco, a place which has been satisfactorily identified as "Purton," on the north side of the river, some sixteen miles from Yorktown, and about eleven miles from West Point.¹

The next year (1608) Captain Christopher Newport sailed from Jamestown and made a call upon Powhatan, and from time to time thereafter the Jamestown people repeated these visits; but no actual settlement was made on the York till many years after the arrival of the settlers.

The need of a settlement in this region was felt, however, and as early as 1611 Sir Thomas Dale, the deputy governor, in a letter to the Earl of Salisbury, recommended a fortified place at Chiskiack. Then, after the Indian massacre of 1622, when the Chiskiack Indians deserted their territory and moved to the Pyanketank River, the idea of "winning the forest," by running a pale from the James River to the York River and planting a settlement on the latter, took strong hold on Sir Francis Wiatt and his Council. It was regarded as the best means to ward off an Indian attack, and the discussion led to the offer four years later of Samuel Mathews of Denbigh and William Claiborne of Kicoughtan to build the palisades, defended at intervals by houses.

THE PALISADES.

Still nothing was done, and in the meantime the James River Valley as far as the Falls and the Accomac peninsula were fully occupied. At last, with the coming of Sir John Harvey as governor, the project so long delayed was carried into execution. At a meeting of the Council on October 8, 1630, as appears from a patent recorded² at Yorktown, an order was entered offering as an encouragement "for secureing and takeing in a tract of land called the Forest, bounding upon the chiefe residence of the Pamunkey king, the most dangerous head of ye Indian enemye," fifty acres to every person who should settle the first year on Charles River and

¹William and Mary Quarterly, VIII, 273, X, 1-3. PURTON was only a variation of "Powhatan."

²Ibid. XXVI, 27.

twenty-five to every person who the second year should settle there. At the same court two tracts of six hundred acres each were granted to Captain John West, brother of Lord Delaware, and Captain John Utie, who were made commanders of the new settlement.

About four miles above the modern Yorktown, two creeks, Felgate's Creek and King's Creek, form a bay opening into York River, and on the east of this bay settled Captain West, and on the west thereof settled Captain Utie. In the angle formed by the two creeks settled Captain Robert Felgate, a well known ship captain from London.

Other settlers availed themselves of the offers of the Council, and the land along the river on either side of the two commanders was rapidly taken up. On the east of Captain West settled Francis Morgan, and next to him was Mr. William Pryor, and on the high ground west of Yorktown Creek settled Captain Richard Townsend. Then east of Yorktown Creek, occupying the present site of the town, was Captain Nicholas Martian,³ a Frenchman, who obtained his denization in England.

nicolas martian

Martin Baker, a merchant from Plymouth, England, took up six hundred acres next to Martian, and at the present "Temple Farm" were the settlers sent by Sir John Harvey to his plantation of seven hundred and fifty acres, called York.

These first leading settlers, as shown by the records, were people of excellent standing, and they had both money and credit.

THE E. D. PLANTATION OR BELFIELD.

By order of the Council, dated June 6, 1632, Captain John West was granted two thousand acres "in right of his son, being

³Martian's name is spelt variously in the records Martian, Marteau, Martue, Martin, etc. But "Martian" is the usual spelling. It appears, however, that his name was really *Martiau*, and above is a facsimile signature procured by Mr. Frank Turnbull, of New York, at the wish of Judge John L. Thomas, from official papers in London.

the first born Christian at Chiskiack." There is little reason to doubt that this son was Col. John West, of West Point,⁴ at the forks of the river, to which place his father removed in 1650, on selling his plantation on Felgate's Creek (now known as Bellfield) to Edward Digges, fourth son of Sir Dudley Digges, master of the rolls to King Charles I. The plantation was owned by the Digges family till 1787, when it was sold to William Waller. During most of the long interval in which it remained in the possession of the Digges family, it was known as the "E. D. Plantation" (Edward Digges Plantation), and was famous as the chief seat of the silk culture in Virginia, and afterwards as the plantation which raised a specially favored brand of sweet scented tobacco, known as the "E. Dees," which it is said never failed to bring in England "one shilling on the pound, when other tobaccos brought not three pence."⁵

KING'S CREEK PLANTATION.

The seat of Captain John Utie on the York River, known first as "Utimaria," was sold by his son of the same name to Captain William Tayloe (sometimes spelled Taylor in the old records) who married Elizabeth, daughter of Richard Kingsmill, of Jamestown Island. On Tayloe's death the plantation went to Col. Nathaniel Bacon by his marriage with the widow, and by deed from his heir and nephew, William Tayloe of Richmond County, ancestor of the Tayloes of "Mt. Airy" on the Rappahannock. Col. Bacon absorbed other grants, among which was the land of John Cotton of Queen's Creek, whose wife Ann wrote the history of Bacon's Rebellion. This Col. Bacon, who rose to be president of the Council of State, was first cousin once removed of Nathaniel Bacon, junior, the rebel. He died in 1691, and this property went to his niece, Abigail Smith, who married Major Lewis Burwell. On Burwell's death in 1710 it became the property of his son

⁴For WEST POINT, see *W. & M. Quarterly*. IX, 214.

⁵For BELLFIELD, see *William and Mary Quarterly*, Vol. XV, 36-38. and for DIGGES FAMILY, see *Ibid.* I, 80-89, 140-150, 208-213.

James Burwell. It was long known as King's Creek Plantation, and comes into prominent notice during Bacon's Rebellion. Not long before the "World War" (1914), this property was purchased by the Duponts and named "Penniman," and during the war it was taken over by the Federal government and made an important center for filling shells.

The process of absorption of the small grants continued, and about 1740 all the land between King's Creek and Queen's Creek on the York and Skiff's Creek and Archer's Hope Creek on the James was owned by the three Burwell brothers, James Burwell, of "King's Creek," Nathaniel Burwell, of "Carter's Grove," and Lewis Burwell, of "Kingsmill." On the road from Springfield to King's Creek is a stone with their initials "J. B., L. B., N. B.," marking the corner at which the estates of the three brothers came together.

FIRST BRIDGE OVER YORKTOWN CREEK.

Capt. Richard Townsend's land of 650 acres lay west of Yorktown Creek, and in 1657 Col. George Reade and Lt. Col. Thomas Ludlow were directed by the Court to agree with William Thomas to erect a sufficient bridge over the creek "parting Col Reade's land and Mrs. Townsend." Later, in 1689, this land was selected as the site of the College and free School, erected afterwards at Middle Plantation (subsequently Williamsburg). In 1693 William Buckner obtained the half of the estate lying immediately on the creek from Francis Dade of Stafford County and Frances, his wife, who was coheirress of Robert Townsend, with her sister Mary, who married John Washington, Jr., of Westmoreland County.

YORK PLANTATION.

York Plantation, containing originally 750 acres (now known as Temple Farm), was, as stated, first patented by Governor Harvey in 1631, who mortgaged it to George Menifie, Esq., of the

⁶This creek is variously known in the Records as Martian's, Smith's, Townsend's, and Yorktown Creek.

Council. Later in 1644, after Harvey had been declared a bankrupt, it was sold by Menifie to George Ludlow, another councillor, and a cousin of the regicide in English history, Lt. Gen. Edmund Ludlow. George Ludlow in 1646 got a new patent for it and the adjoining land of Martin Baker, describing his tract as containing fourteen hundred and fifty-two acres and as running from the mouth of Wormeley's Creek five hundred and fifty-five poles up York River to the land of Captain Martian. Here in 1649 landed the cavalier, Col. Norwood, and his party, after their severe trials in the woods of Accomac. George Ludlow died in 1656, and this land went to his nephew, Lt. Col. Thomas Ludlow, who died in 1660. For a number of years it remained in the possession of the Rev. Peter Temple, who married Mary, Thomas Ludlow's widow. But in 1686 it was deeded to Major Lawrence Smith of Gloucester County by the Rev. John Wiles of Culford Parish in Suffolk County, England, and Elizabeth his wife, daughter and heiress of Thomas Ludlow, and by Rev. Peter Temple and Mary, his wife (widow of said Thomas Ludlow), then of the parish of Sible Heningham, Essex Co., England. It continued in the Smith family till 1769, when Robert Smith sold it to Augustine Moore, who married Lucy Smith, his sister. It appears not to have acquired the name "Temple Farm" or "Temple Field" till 1818.

Augustine Moore died before 1781, and his widow was living in the house at the time of the surrender of Lord Cornwallis, October 19th of that year. There is no evidence in the records that Bernard Moore ever owned the place, or that Spotwood was ever buried there, as is sometimes said.⁷

THE COURT HOUSE AT YORK.

The first entry in the York records is that of the caption of a court held July 12, 1633, at Utimaria (Penniman), the residence of Captain John Utie. The justices present were Capt. John Utie, Mr. William English, Capt. Nicholas Martian, Mr. Lionel Royston, Capt. Robert Felgate and Mr. Richard Town-

⁷FOR TEMPLE FARM, see William and Mary College Quarterly, Vol. II, 1-20.

send. Then after several other courts a meeting was held at York July 7, 1634. After this the courts were held for a number of years at the different justices houses—Mr. William Pryor's, John Chew's, Capt. John West's, etc. Finally York became the settled place. In 1658 the house of Capt. Robert Baldrey, at York, was hired for a court house, and one thousand pounds of tobacco was paid annually as the rental, increased soon to 4,000 pds. of tobacco, which doubtless covered entertainment as well. In 1662 a ducking stool was placed at Wormeley's Landing on Wormeley's Creek, near the place "where it is supposed the town for York River will be built." Near by, and at the same settlement, the county prison, stocks and pillory were erected.⁸

York thus became the capital of the county, and in 1843 when Henry Howe began to collect materials for his book, the site of this old settlement was still indicated by the many old chimneys then standing near the mouth of Wormeley's Creek.⁹ In the same locality was the Church of York Parish, situated in the "old fields." To this church William Hawkins on his death in 1655 left after his wife's death 1,500 pds. of tobacco for a silver flaggon, and in 1686 Argall Blackstone, his grandson, left a silver wine bowl, inscribed with his name, to be purchased out of the sale of a hogshead of tobacco, also giving permission to the vestry, if they would cover the church with plank sawed feather edged instead of clapboards, to use trees on his estate for that purpose.

The first clerk of the county court mentioned in the records was Mar. Johnson (Marius? Johnson). He was succeeded in 1639 by Francis Willis, a great friend of Sir John Harvey, and

⁸June 25, 1661. The Court this day agreed with Jerrard Hawthorne to build or make a paire of stocks and a pillory & fitt them with Iron worke & all things compleat & to bring them to Mr. Robert Baldrey's house at furthest by ye 20th of August next, & set ye stocke where Mr. Baldrey shall appoint & the pillory neare the horsepath against ye Court House. In consideration whereof, the Courth doth order him to be paid eight hundred pounds of tobacco & caske at the next Leavy.

⁹Howe *Historical Collections of Virginia*, 1846, p. 522.

who was removed in 1640 from his office by Sir Francis Wiatt on account of his speaking contemptuously of the acts of the assembly. He was succeeded by Robert Booth. He held the office till 1651, when Thomas Ballard was appointed, who held office till 1662. He was succeeded by John Baskerville who held office till 1679, when Richard Awborne, who had been clerk of the General Court, succeeded him. This latter held office till 1681, when Edmund Jenings became clerk. On June 3, 1691, William Sedgwick, at Burlen Hall, in Lincolnshire, succeeded Jenings.

The population of the Chiskiack region, after it once began, increased rapidly. In 1631 William Claiborne with one hundred men settled Kent Island, now a part of Maryland, one hundred miles up the Chesapeake Bay. This remote settlement appears to have been linked with the settlement on the York, for, in February, 1632, Capt. Martian took his seat in the Assembly as the representative of both "Kiskyacke and the Isle of Kent." By September 1632, population on the south side of York River was extensive enough to claim two representatives in the assembly. The region was divided into two districts, one retaining the old name of Chiskiack, which included the present Yorktown, and the other called York, comprised the settlement on Wormeley's Creek. In the assembly held at this time Capt. Martian represented Chiskiack, and Lyonel Rowleston represented York. The following year (1633) it was enacted that "a fortieth part of the men in the compass of the forest east of Archer's Hope Creek and Queen's Creek to Chesapeake Bay should be present before the first day of March next at Dr. John Pott's plantation (newly built) at the head of Archer's Hope Creek, to erect houses and make secure the land." This was the beginning of Middle Plantation¹⁰ (afterwards Williamsburg) which became the key of the palisades run for six miles from Archer's Hope Creek emptying into James River to Queen's Creek emptying into York River.

Subsequent to this, in 1635, the whole colony was divided into eight counties. The settlement on the York was comprised

¹⁰For an account of the MIDDLE PLANTATION, see Tyler's "Williamsburg, the Old Colonial Capital."

in a county named after the river, Charles River County, but the name was changed in March, 1643, to York, as was also that of the river in honor of James, Duke of York, the son of Charles I. Why this change was made the records do not tell us, and the writer can only suggest that it was to avoid confusion caused by the existence of another county of similar name, Charles City County.

Charles River County, or York County, had first an indefinite northerly and westerly extension, and did not acquire its present limits till some years after its change of name. In 1651 Gloucester County north of the York River, and in 1654 New Kent County, comprising all the country west of the Skimeno Creek on the south side of the river, and all the country west of Poropotank Creek on the north side, were cut off.

PARISHES IN YORK COUNTY.

The parishes in York County in 1646 appear to have been three in number, Poquoson Parish extending from Back River (old Poquoson River) to Back Creek, York Parish extending from Back Creek to Yorktown Creek, and Hampton Parish from Yorktown Creek to Queen's Creek, which was then the westerly limit of the settlements. In 1657 the parishes were New Poquoson (afterwards changed by the General Assembly to Charles Parish¹¹ in 1692), from Back River to Back Creek, York from Back Creek to Yorktown Creek; Chiskiack or Hampton from Yorktown Creek to Queen's Creek; Marston from Queen's Creek to Skimeno Creek; Middle Plantation comprising the settlement of that name between Queen's Creek and Archer's Hope Creek. In 1658 Harrop Parish in James City County was combined with Middle Plantation Parish in York to form Middletown Parish, and in 1674 Marston and Middletown became Bruton Parish. In 1706 York and Hampton Parishes were, by an order of the Council united to make York-Hampton Parish.¹²

¹¹William and Mary Coll. Quarterly, XX, 142.

¹²Council Journal 1705-1721, p. 88.

GROWTH OF YORK COUNTY.

In the meantime the settlements had spread both east and west to the farthest limits of the county. Between Wormeley's Creek and New Poquoson there settled immediately on the east of the first named creek Col. Christopher Wormeley, who had been governor of Tortugas Island in the West Indies; near Too's Point (a corruption for Chew's Point) Col. John Chew, ancestor of Chief Justice Benjamin Chew of Pennsylvania; on Chisman's Creek Col. John Chisman¹³ of the council of state and his brother Edmund, whose son of the same name was one of Bacon's majors; on Poquoson River Capt. Christopher Calthorpe, son of Christopher Calthorpe of Norfolk County, England, whose family was connected with Queen Elizabeth. At the other end, in the point between Queen's Creek and York River Nicholas Jurnew patented 500 or 600 acres in 1632, which was called "Vaulx Land," or "Vaulx Hall," and was successively the home of the Vaulx, Temple, Timson, Shields, and Johnson families, and is now the property of Gen. Littleton Waller Tazewell Waller. Adjoining Vaulx Land on the west and lying east of St. Andrew's, afterwards Carter's Creek, was Poplar Neck, containing 1,750 acres, patented by Major Joseph Croshaw, whose daughter Unity married Col. John West, of West Point. About the close of the seventeenth century Poplar Neck was the property of Edmund Jenings, Esq., for many years secretary of state, who built a brick house thereon and called it Ripon Hall, after his native place Ripon in Yorkshire. In the region beyond Carter's Creek, stretching to the west of Skimeno, Daniel Wild, Philip Chesley and Arthur Price were among the old inhabitants; later Baldwin Mathews, grandson of Governor Samuel Mathews, resided in this quarter, and in the 18th century there was a ferry at Skimeno Plantation kept by Thomas Buckner, connecting with Cappahosic on the other side.

Other leading settlers of York County during the 17th century were Mr. Henry Tyler, Major Otho Thorpe, Capt. Robert

¹³This name was pronounced "Cheesman," and the spelling often followed the sound.

Higginson, Mr. Peter Efford, Col. John Page, George and Edward Wiatt (nephews of Governor Francis Wiatt), John Clarke (son of Sir John Clarke of Wrotham in Kent)—all of Middle Plantation; Capt. William Brocas, Major William Barber, Maj. James Goodwin, Maj. William Gooch, Lt. Col. Thomas Ballard, Maj. Philip Stephens, Lt. Col. Henry Gooch, Mr. John Hansford, Mr. Robert Hyde, Maj. John Brodnax, Rev. Edward Polliott, Rev. James Selater, Col. Richard Lee and Dr. Henry Lee, Peter Perry, Dr. Henry Power, Dr. Francis Haddon, Mr. Robert Vaulx, Mr. Anthony Robinson, Mr. Thomas Curtis, Mr. Thomas Bushrod, Capt. Thomas Hill, Mr. Thomas Nutting, Mr. Edmund Peters, Rev. Roland Jones, Mr. John Baskervyle, Mr. Robert Sheild, Mr. Mathew Hubard, Mr. John Howard, Mr. Robert Curtis, etc. Quite a number of these settlers have been traced to respectable families in England, and it is perfectly evident from the environment that most of the others whose connections have not been so traced belonged to the same social circles. They were as a rule men of good education, and it is certain that no better set of immigrants could have come to a new country for settlement.

After the cutting off of Gloucester County (1651) and New Kent County (1654), York assumed its present dimensions. Its mean length is 26 miles, mean breadth $5 \frac{3}{4}$, and area 149 square miles.

THE FIRST REBELLION.

The Yorktown region was from a very early period a center of political activity. Sir John Harvey, who became governor in 1629, lived to be very unpopular in Virginia because of his sympathies with the tobacco monopoly desired by the king and with the designs of Lord Baltimore to cut off Maryland from Virginia, of which it was originally a part. Chiskiack and York were the centres of opposition to Harvey, and on April 5, 1635, at the house of William Warren, who had leased a part of Martin Baker's patent on the river, a meeting of protesters was held, at which the chief speakers were Capt. Nicholas Martian, Capt. Francis Pott, and Mr. William English, the first sheriff of Charles River County. Harvey was enraged at the proceedings, and caused the leaders to

be arrested, but his council took sides with the culprits and deposed Harvey from his government. In May an assembly was convened which confirmed the action of the council and conferred the government of the Colony upon John West, of Chiskiack. Harvey returned to England where he appealed to King Charles, who ordered his reinstatement as governor. But the deposition of Sir John Harvey was the first vindication on the American continent of the right of a people to "self-determination."

It is interesting to note that William Warren's house in which the first steps were taken must have been only a few hundred yards from the Moore house in which the articles of Cornwallis' surrender were signed, and that the chief actor at the meeting was Capt. Nicholas Martian, the first patentee of Yorktown and an ancestor of George Washington, who was the chief actor in the overthrow of English authority at that place in 1781.

Sir John Harvey was an active, energetic man, and soon after his return to the Colony in 1637 he began improvements at Jamestown, and started measures to erect a brick church and brick state house. All the island side for half a mile along the river was taken up, and the Secretary of State, Richard Kemp, erected at Jamestown a building of brick, "the fairest ever known in this country for substance and uniformity." But the fires of the old quarrels still burned brightly and the old councillors, West, Utie, Matthews, Dr. John Pott, and Pierce, who had been summoned to England, were untiring in their efforts to ruin Harvey. Added to this, as an element in fanning the flames, were the autocratic methods pursued by Harvey and his friends.

Among those who had incurred his ill-will was the minister of York and Chiskiack, Anthony Panton, who had come to the Colony in 1632. Panton had no use for Harvey's secretary of state, Kemp, and ridiculed him from the pulpit, referring to "his pride of a lock he had tied up with a ribbon old as Paul's." This talk it must be confessed was rather provoking, but Kemp allowed his resentment to go too far. Panton was hauled before the governor and council, and through Kemp's influence his property was confiscated, and Panton himself banished from the Colony on the pain of death should he ever return.

The affair made a great sensation, both in Virginia and England, and contributed to Harvey's final undoing. In 1639 after a brief second term of eighteen months, Harvey was recalled by the king, and the government of Virginia was turned over to the opposing faction. Sir Francis Wiatt and the old councillors came again into authority, and they speedily restored Panton to his parish, and to satisfy the claims which arose from many quarters, Harvey's estate both at Jamestown and York was seized upon and exposed to sale. To avoid punishment, Kemp, the Secretary of State, secretly fled from Virginia, and appeared at the court of King Charles. He contrived to adjust matters, and in 1642, when Sir William Berkeley came over as governor, he returned to Virginia and served as Secretary till his death in 1649.

THE COMMONWEALTH PERIOD.

Many people came during the civil war in England to Virginia, but the records from 1648 to 1657 are for the most part missing in York County. The county duly submitted to the rule of Parliament, but there was certainly much sympathy with the old royal cause. Among the royalist officers who settled in York County was Major John Brodnax, who died in 1660 and left the fine wardrobe of a cavalier, which is on record. Descendants of his name are still well known in Virginia. After the death of Oliver Cromwell, the Lords of the Council of State in England sent a letter to the Governor of Virginia apprizing him of the accession of Richard Cromwell as Lord Protector. This letter was read in the House of Burgesses in March, 1659, and assented to by them. But there was much dissatisfaction at this time, and in July, 1659, Major Joseph Croshaw, who sat in the House of Burgesses from York County and was a justice, "questioned and disputed the present authority."

Thereupon Governor Samuel Mathews suspended Croshaw from his office as a justice by a letter addressed to the Commissioners of York County (as the justices were then called) bearing date July 16, 1659. The Governor declared the conduct of Croshaw as very "presumptuous and tending much to ye breach

and detriment of this our colony." It happened, however, that before that time unknown to the Virginians, Richard Cromwell had resigned from his office and the Long Parliament under the protection of the army had again taken over the government in England.

There is evidence that many people in England were looking to Virginia at this time to escape the troublous conditions. This is manifest from a letter written by Francis Wheeler in London to his father of the same name living at Queen's Creek in Virginia. In it he says: "Father I think it would be convenient for you to keepe a plantacion & something in Virg^a, the times being so dangerouse here." At the date of the letter there had been another overturn in the government of England. The soldiers, who, on the resignation of Richard Cromwell, had put in the old Long Parliament, in a little more than five months after its restoration expelled it a second time on October 12, 1659. The nation became divided between the army commanders, Fleetwood and Monk, and the Long Parliament, which, supported by the navy and some troops, reassembled in the hall at Westminster.

All this is very interestingly referred to in Francis Wheeler's letter recorded in the York books:

Francis Wheeler of London to his Father in Virginia.

London, December the 29th

1659.

Loveing ffather,

My duty remembered to you with my Love to, my mother Lawe and all the rest of our freinds in generall desyreing yor health, praise be ye Lord for that health I enioie at present: my last to you was by Capt Holman wherein I certified you of the Receipt of 16 hhd's of tobacco pr the Virga Merchant and three of my Unkle Tustians. I think I also certified you that I had sold ffifteen hhd's of yor sixteenths in ye aforesaid shipp for ffive pence ~~7~~ pound & the excise; the hhd I thought had been lost was found, & I have recd 16 hhd's upon yor Account out of ye Virginia M^rchant this yeare & my Unkle Tustians 3 hhd's of tobacco. I have here sent you an accompt of sixteen hhd's. in ye Virginia M^rchant what they produced; my Unkle Mann and Aunt rememb their Love to you & my M^rther law; and ali

ye rest of your freinds in ye Countrey remembr their Love to you and my Mother Law.

Since the 9th of October here hath been another overturne in the Governmt of this nation: ye soldyers turned out ye last long Parliament & for a while we were without any settled Governmt but ye sword, & swordsmen bare ye rule of ye Nation & this Citty not many weekes ago stood in a dangerouse condition, according are we judge by the eye of flesh, and had not the good hand of the Lord prevented what was feared, for aught I know this Citty might be turned into Ashes & the streets running with blood. The soldyers they are divided one against another, & the people they are divided some for one government some for another, & how long thus a kingdome divided against itselife can stand, I know not. Sinne & eniquity hath divided us one aginst another & who knows but that the Lord may give us upp to be aestroyed one of another. The last Parliament part of their members, have againe within these eight days, mett againe at the Pliament house & some of the soldiers have revolted from their Comanders & adheered to this Pliamt & this Long Pliamt together with ye soldyers are likely to be our rulers againe for a season unless ye soldiers Clash againe.

As for tobacco it is rather worse comodity than better, then it was 2 monthes or 8 monthes agoe & what it will be next yeare is very uncertaine, unlesse here were like to be some settled Governmt. Father I thinke it would be convenient for you to keepe a plantation & something in Virga, the times being so dangerouse here; and this with my prayer to ye Lord for you I leave you to ye protection of ye Lord & Rest

Your Loveing and Obedient Sonne

Francis Wheeler.

(Thus superscribed)

These for his very Loveing ffather Mr Francis Wheeler, Living at Queens Creek in Virginia.

The "mother-in-law" (a designation then for step-mother) mentioned in the letter was formerly Eleanor, widow of Nicholas Comins, whose daughter Elizabeth married Mr. Robert Harrison, of York County, father of Mr. Robert Harrison, who built the prison at Yorktown in 1699.

It was not long after this letter that the restoration took place. Monk, commanding the army in Scotland, declared for a free parliament and invited King Charles II to return. Charles II embarked on the fleet from Holland May 23, and on May 29, which

was his birthday, he entered the city of London. The way for twenty miles was strewn with flowers and the gutters of the city itself ran with wine.

In the meantime Virginia had become very restless in view of the chaotic conditions in England, and, on the death of Gov. Mathews, the assembly meeting at Jamestown March 13, 1660, assumed all power into its own hands and unanimously recalled Sir William Berkeley back to the governorship, from which he had been expelled in 1652. Means of communication were slow in those days, and it was three months and a half after the king returned to London, before he was proclaimed in Virginia. On September 20, 1660, Sir William Berkeley, having received the royal commission as governor, issued the following proclamation:

Proclamation of Sir William Berkeley.

By his Majties Governr and Capt. Generall of Virginia.

Itt is thought fitt & accordingly ordered for the speedy & better dispatch of all Affaires tending to ye peace & welfare of yis Collony and the Inhabitanτες yereof that all officers whatever within this Country doe remaine & continue within their severall offices until further order to ye contrary.

And forasmuch as it hath pleased Almighty God to invest our most gracious Sovereaine Charles the Second, King of England, Scotland, France & Ireland In the dominions & just Rights of his Royall ffather of ever sacred Memory, these are therefore in his Matyes Name strictly to charge and comand you and every of you forthwith to cause the said King to be proclaimed in every of the respective counties and that all Writts and Warrants from henceforth issue in his Maiestyes name. Hereof faile not as you will answer ye contrary at yor uttermost perill. Given at James City under my hand this 20th of September, sixteen hundred and sixty.

William Berkeley.

To the Sherr and other cheife officers of York County.

Recr 20 Octobr 1660.

The joy in Virginia over the restoration was probably only second to that in England. The colonists had practically enjoyed self-government under the King, and they had a sentimental attachment to the crown, which continued throughout the Common-

wealth period. They submitted to the powers that be, but there were outcroppings of impatience, which exhibited itself in nearly all the counties. Seen at this distance of time, the gross human faults of the cavaliers in England were preferable to the cruel, heartless creed of the Puritans and their total lack of sympathetic feelings. That York was not behind the other counties of Virginia in manifesting their joy on the day "his sacred majesty" was proclaimed is shown by the County levy.

The whole population must have assembled at York plantation. There was music furnished by a band of trumpeters. A barrel of powder obtained from the governor was used up in firing salutes and John Fox (ancestor of the Fox family of Virginia), captain of the *William and John*, thundered with his cannon. Six cases of drams and 211 gallons of cider were consumed by the crowd, which must have been consequently pretty lively and noisy. Yet the solemnity of the occasion was recognized by the presence of Rev. Philip Mallory, who had officiated as minister of the last two assemblies, and was recognized as a man of excellent example.

From the York County Levy Oct., 1660.

Att the proclaiming of his sacred Maiesty

	(Tobacco)
To ye Hoble Govern ^r £ a barrell powd ^r 112 lb.	00996
To Capt Fox six cases of drams	00900
To Capt Fox for his great gunnes	00500
To M ^r Philip Malory	00500
To ye trumpeters	00800
To M ^r Hansford 176 gallons Syd ^r at 15 and 35 gall at 20, caske 264	03604

COL. GEORGE READE.

Capt. Nicholas Martian, who had made himself conspicuous in Harvey's deposition, died between March 1 and April 4, 1657, the dates of the making of his will and its proof in court. He left three daughters, Elizabeth who married George Reade, Sarah who married William Fuller, some time Puritan governor of Maryland, and Jane who married Lt. Col. John Seasoroche of

York County. By virtue of his marital connection the land at Yorktown came into the possession of George Reade, who on account of his importance deserves more than casual mention. He came of a well known English family, being the son of Robert Reade, Esq., and grandson of Andrew Reade of Linkenholt, Hampshire, England. His mother was Mildred Windebank, daughter of Sir Thomas Windebank, and his brother Robert was secretary to his uncle Sir Francis Windebank, Secretary of State to Charles I. Now, unlike his father-in-law, George Reade was a friend and adherent of Governor Harvey, and Secretary Kemp had been his chief friend from the time of his arrival in 1637. So it happened that, when Kemp ran away from the Colony, he left Reade to act as deputy secretary. Afterwards Reade was burgess for James City County in 1649, but removing soon after this time from Jamestown to York County he was one of the justices there in 1652. During the commonwealth period he was elected by the House of Burgesses a member of the Council of State, a position in which he was confirmed by Charles II in 1660, in the royal commission issued at the time. Reade remained a councillor till his death, which occurred some time between September 20, 1671, when he made his last appearance in Council, and November 20, 1671, when his will was proved in the General Court by Thomas Reade and Henry Richardson. He left surviving four sons, Robert, Francis, Thomas and Benjamin Reade and two daughters Mildred, who married Col. Augustin Warner (from which marriage Washington was descended), and Elizabeth who married Capt. Thomas Chisman, of York County.

BACON'S REBELLION.

Five years after Col. Reade's death this region became involved in the throes of another rebellion, even more extensive than that which deposed Sir John Harvey. Heavy taxes and Indian massacres, which Governor Sir William Berkeley failed to suppress, brought about the rising under Nathaniel Bacon, Jr., who like his cousin Nathaniel Bacon of King's Creek, was a relative of Francis Bacon, Lord Verulam. In York County the leading

friends of Bacon were Edmund Chisman, Thomas Whaley and Thomas Hansford.

Chisman and Whaley were majors under Bacon, and Thomas Hansford was commander of four counties and president of Bacon's court of sequestrations. For about six months a guerilla warfare prevailed throughout the colony. There was a great deal of pillaging and plundering on both sides, and York County was in such confusion that no court was held for nearly a year. A company of rebels under Hansford took possession of Col. Reade's house and another company under Whaley occupied the house of Nathaniel Bacon, Sr. As long as Bacon lived, the rebel cause was triumphant. Berkeley was driven from Jamestown over the bay to Northampton County, where he was the guest of Col. John Custis at Arlington. But just at the time when Bacon's authority was most recognized, he was taken ill and died on October 26, 1676.¹⁴ He was succeeded in his command by Joseph Ingram, who like Bacon was a recent comer, but had less merits as a commander.

The altered state of affairs stimulated the loyalists to new endeavors. Berkeley greatly encouraged by Bacon's death sent over the bay Major Robert Beverley, who surprised Hansford and the twenty soldiers that kept guard at Col. Reade's house. They were taken to the governor in Northampton, and a second expedition under the same commander was successful in securing Major Chisman and one Captain Wilford.

They met with scant courtesy from Sir William Berkeley, and notable was the conduct of Hansford, who is described by Berkeley himself as a "valiant, stout, man and most resolved rebel." He was a son of Mr. John Hansford, who had been one of the justices of York County and had died not long before the rebellion broke out. At the trial he made no vain supplication, but only asked that "he might be shot like a soldier and not hanged like a dog," and when the plea was denied he made use of the short interval allowed him before the execution in professing repentance for his sins. But

¹⁴This is according to the report of the commissioners. *British Calendar of State Papers Colonial America and West Indies, 1671-1690*, p. 167. T. M.'s account in *Force's Tracts* says Bacon died Oct. 3, 1675.

he expressed no repentance for his rebellion, which he would not acknowledge, desiring the people at the place of execution to take notice that "he died a loyal subject and a lover of his country." It is said that he was the first Virginia born ever hanged on the gallows.¹⁵

When Major Chisman was brought into Berkeley's presence there was a tragic scene which was much to the honor of his lady. The governor immediately demanded of him why he engaged in Bacon's designs. He was about to reply when his wife threw herself at the governor's feet and asked to be hanged in his stead, declaring that it was owing to her instigation that he had taken Bacon's part. But the governor, using a vile epithet, rejected her intercession and ordered Chisman to prison. Here he died before his trial came off, some say, of bad usage.¹⁶

Captain Wilford, the third of the distinguished prisoners, was the second son of a knight who had lost his life and estate in the late king's quarrel with his parliament. "He was a little man, yet he had a great heart, and was known to be no coward." Bacon had made use of him with the Indians as an interpreter. In the recent fighting he had lost an eye but he made a jest of it, declaring that, as the governor had long ago promised him a hanging as being one of those who went out with Bacon in his first expedition against the Indians, it made no difference whether he had one eye or two eyes, for that in either case the governor would see him well guided to the place of execution. He suffered like Hansford on the gallows.

Having so far succeeded beyond his best hopes, Sir William came over to York River with four ships and two sloops, and

¹⁵For an account of the Hansford family, see *Virginia Historical Collections*, XI.

¹⁶For an account of the Chisman family, see *William and Mary College Quarterly*, I. Lydia Chisman, the wife of Major Chisman, is described in the York records as a daughter of Mrs. Elizabeth Bushrod. She married 2dly. Thomas Harwood, and in 1698 was killed by lightning. T. M. says that she was a niece of Capt. George Farlow, an expert mathematician, who like her husband, took part with Bacon, was captured by Berkeley, and was executed.

taking up his station before Tindall's Point (now Gloucester Point) despatched Major Beverley on another expedition. He was again successful, and surprised a party of Baconians under Col. Harris at William Howard's house in Gloucester.

This success enheartened the loyalists of Gloucester, who assembled at Major John Pate's house at Poropotank under Major Lawrence Smith, and about the same time a rising of Berkeley's friends occurred in Middlesex County. Ingram at West Point promptly sent against the latter a band of soldiers under Lt. Col. Gregory Walklett, and when Smith set out from Major Pate's with a hope to cut him off, Ingram made a rapid march and captured the weak garrison left behind under the charge of a minister. He then marched to meet Smith, who having learned of Ingram's movement had retraced his steps. When the two forces faced one another in a short time, the men under Smith being lukewarm in their new loyalty refused to fight, and Ingram, having made prisoners of all the officers, dismissed the soldiers to their homes.

Much about the same time Berkeley met with another severe reverse. He sent a party of men under Hubert Farrell, of Charles City County, to attack Major Whaley and his guard at Col. Bacon's house in York. Col. Bacon and Col. Philip Ludwell went along also, and the attack was made at night. But Whaley and his forty men, though much outnumbered, made so valiant a defense that they not only held back the assailants, but killed Farrell, the leader of the royalists, wounded several and took three or four prisoners. It is said that Whaley and his men "gloried more over their victory than Scanderbeg did for the greatest victory he ever obtained over the Turks."

So far Ingram had done well, but he was not composed of the same stuff as the dead Bacon. The news that reached him from England of the sailing of a regiment of red coats cooled the ardor excited by his victories. And when he was visited at Poropotank by Thomas Grantham, commander of the ship in which Ingram had come to Virginia, he was easily induced, through the intercessions of this gentleman, to negotiate terms of surrender. These being satisfactorily accomplished, he suffered Grantham to go to

West Point and inform the garrison there of his determination, whereupon the soldiers forsook West Point and were taken by Grantham on his ship to the governor at Tindall's Point to receive the benefit of the articles of surrender.

The news of the surrender of West Point had a demoralizing influence on the Baconians generally. At Green Spring where Bacon had planted a strong garrison under Capt. Drew, similar negotiations took place, and Drew, having been promised his safety, agreed to hold the place till the governor returned.

The capitulation of Ingram occurred in the early part of January, 1677, and at this time Lawrence and Drummond who had been considered the two leading friends of Bacon were at the "Brick House" in New Kent County, opposite West Point. They had been excepted out of the governor's pardon. Drummond had been governor of North Carolina, and was esteemed a man of much wisdom and honesty. Lawrence was an Oxford scholar, and had been a burgess for Jamestown in the assembly which had sat at the call of Bacon in September, 1676. At the time of the burning of Jamestown when Bacon set fire to the church, Lawrence and Drummond, not to be outdone, fired each his own house—their houses being two of the three best in Jamestown, the third being the house already mentioned as built in 1639 by Richard Kemp, but then in 1676 the property of William Sherwood, the lawyer.

They had made some attempt to hinder Grantham's design, but not succeeding they sent down to Col. Bacon's house for Major Whaley and his guard. He hastened up, and on his arrival the combined forces numbered three hundred men and boys. Feeling that with this number they were too weak to make a successful stand, they marched higher up the Pamunkey River as far as the new house of Lt. Col. Henry Gooch (Gooch's Ferry), in what is now King William County. But on arriving there and finding that many of the soldiers had deserted, the party broke up altogether, every man undertaking to shift for himself.

Lawrence and Whaley, with three other soldiers, mounted their horses and rode off into the woods in snow ankle deep and were

never heard of again.¹⁷ Most of the rest went to their homes where the most important were soon arrested and brought to Sir William Berkeley at Tindall's Point.

Berkeley had his quarters at this time on Capt. John Martin's ship, and on January 11 a court martial was held on board when Thomas Hall, clerk of New Kent County, was tried and condemned to be hanged at Col. Reade's place on the southern shore. This Hall was described by Berkeley himself, on account of his facility with the pen, as of more value to the rebels than forty armed men. On the next day, January 12, three others were tried on the ship and hanged at the same place: Captain Thomas Young, of Chickahominy, who had served in the parliamentary army, and was son of Thomas Young, who in 1634 explored Delaware Bay; Henry Page, a servant and carpenter, whom on account of his ability Bacon had made a lieutenant colonel, and one Harris, who had shot to death, a "valiant loyalist prisoner."

These executions being over, the governor after a few days moved up to King's Creek, and on January 19th anchored before Col. Bacon's house, now cleared of Whaley and his men. They found that the damage done to the estate amounted to £2000 sterling, chiefly in goods taken from Col. Bacon's store. Here Mr. Drummond, taken the day before in Chickahominy Swamp, was presented to the governor. The governor had an old grudge against Drummond and was delighted to have him in his power. His words have been often quoted, "Mr. Drummond, I am more glad to see you than any man in Virginia. You shall hang in half an hour."

Probably the governor was wrongly reported in this last particular. Drummond was hanged sufficiently speedily, but not in "half an hour." That night he was sent on board a ship in irons. On the next day the governor landed, and rode in his coach to Col. James Bray's house at Middle Plantation. The following day (Jan-

¹⁷Whaley left behind a son, James Whaley, who became a prominent merchant and lawyer of York County. He married Mary Page, niece of Col. John Page, and had an only son, Matthew, who died at nine years of age. His mother in 1706 established a school to his memory, which the College of Wm. & Mary still maintains.

uary 20) he sent a body of cavalry for Mr. Drummond, who walked all the way (five miles) from King's Creek to Middle Plantation in fetters. On his arrival he was tried, condemned at one o'clock and hanged at four.

On January 22, Berkeley proceeded to Green Spring (six miles west of Middle Plantation), where a court martial was held on the 24th of the month, and sentence of death passed on James Crewes, William Cookson, John Digby, William Rookings, William West and John Turner—all leading friends of Bacon.

The ships with the troops from England, and the commissioners appointed by the king to enquire into the present troubles, entered Chesapeake Bay January 29, 1677. Berkeley went to Kiquotan, now Hampton, and visited the ship "Bristol" to confer with the commissioners and gave them a list of those executed.

Then an assembly was called to meet on the 20th of February, when the Rebellion may be said to have reached its end. After the assembly met, civil courts were resumed, but though the accused had the benefit of a jury, executions and fines, under the influence of Berkeley, were continued as long as he remained in the colony, despite the protest of the commissioners. Lt. Col. Henry Gooch, at whose house the rebels had their last gathering was fined 6,000 pounds of pork for the use of the soldiers.¹⁸

HANSFORD HOUSE AS A COURT HOUSE.

In the celebrated meeting at Middle Plantation August 3, 1676, Bacon had compelled the justices to administer to the people an

¹⁸The comparatively light fine put on Gooch shows that his support of Bacon had been only half-hearted. At the meeting at Gloucester C. H., when Bacon demanded an oath of allegiance and there was some hesitation, Gooch suggested that he had "spoke only to the Horss and not to the foote." Whereupon Bacon retorted: "He had spoke to the Men and not to the Horss, leaving that servis for him to do because one beast would best understand the meaning of another." Col. Gooch (pronounced "Gouge") married twice—first about 1661 Millicent, widow of Robert Kinsey and 2dly about 1676 Jane Jones, sister of Rev. Rowland Jones of Bruton Parish, Middle Plantation (Williamsburg). He was ancestor of all of the name in Virginia.

oath of allegiance, and in a letter dated February 17, 1677, these gentlemen for York County—John Page, John Scasbrooke, James Vaulx, Otho Thorpe and Isaac Clopton—now besought the governor “to indemnify” by them by name for obeying the mandate and to indicate “who should be justices of York County.” The governor on March 23 reappointed all, except John Scasbrooke, who had married Chisman’s wife’s sister Elizabeth (his second wife), and whose case was reserved for the consideration of the council on account of suspicion. And on March 31, in reply to a petition of the court, who complained that the county was without a courthouse, he ordered that its sessions be held “in the house lately belonging to Thomas Hansford, whose estate for his rebellion and treason is forfeited to his sacred Majesty.”

However, this idea of forfeiture did not receive the approval of the commissioners sent over by the king, who reported in favor of giving the estates of “the wretched men” executed for rebellion to “their poor wives and children, which will be an act of great mercy,” and the king approved.

The right of Hansford’s children to his estate, which was located at the head of Felgate’s Creek, was recognized by an agreement made February 20, 1678, between the court and the executors of Mrs. Hansford (who within a year had followed her martyred husband to the grave), by which the house lately belonging to Mrs. Hansford was leased to the county for a court house at one thousand pounds of tobacco per year. This arrangement continued till January 20, 1680, when the place of meeting was changed to the French Ordinary not far distant on the York road, half way between Williamsburg and Yorktown.

COURT HOUSE AT THE FRENCH ORDINARY.

There is in the record a deed from Andrew Reader and Agnes, his wife, dated February 24, 1680, for the sale to the worshipful court of York County of “one house new built” at the French Ordinary for “a court house with the ground whereon it stands,” and in this house the court began now to hold its sessions. Eleven months later Mr. Reader died, and not long after William Whitaker of

Warwick County, who married his widow, was employed by the court at 3,000 pounds of tobacco to repair the courthouse and for 7,000 pounds to put up a prison. Further repairs on the courthouse were made in 1686 by Mr. Joseph Ring, to whom Whitaker and his wife sold thirty-five acres of land at the French Ordinary.

In 1698 after 18 years at this place a new move was made, and the capital of the county was taken back to the river, near its original site, where it has ever since remained.

BEGINNINGS OF YORKTOWN.

By the will¹⁹ of Col. Reade, cited in the records, the land at the present Yorktown amounting to 850 acres was left to his three sons, Robert, Francis and Benjamin Reade, one-half to the former and the other half to the two latter. On February 24, 1691, a division line was drawn between Robert Reade on the one hand, Benjamin and Francis Reade on the other. It was to begin "at the River syde at a Rock lying by the edge of the Water and running south, 39 degrees west, on y^e North Side of a small swamp, which is a little above the Well where the ships usually Water, and so Running into the woods, keepeing the same course by a Lyne of Marked trees unto a marked gum, which stands by the syde of a branch which Runes into y^e swamp, which parts this land and the land of Mr. David Condon." Benjamin Reade, who moved to Gloucester County, owned the fourth part lying immediately on the river, amounting to 212½ acres.

When, therefore, in April, 1691, the General Assembly passed an act directing the justices of the several counties to purchase or condemn fifty acres for a county port, the town site for York was taken entirely from Benjamin Reade's tract.

On July 24, 1691, the following order was entered:

"Ordered that the court on the 29th day of this instant July meet upon Mr. Benjamin Reade's land beginning at the lower side of Smyths Creek and so running downward by the river towards

¹⁹Col. Reade's will was recorded in the General Court, whose records were burned in Richmond in 1865.

the ferry being ye land appointed by Law for a Port in order to laying out of the same for a town and doeing all other things relateing thereto, and that the sheriff give notice to the surveyor of this county that he then and there give his attendance. And further this court doth hereby nominate and make choyce of Mr. Joseph Ring and Mr. Thomas Ballard to take and receive of Mr. Benjamin Reade a firme and authentic Deed or Conveyance of the said land as ffeoffees in trust which is accordingly by them to be confirmed to every respective pson or psons as ye law directs for what shall to him or them."

Nature, indeed, appears to have pointed out this situation as the permanent place for the capital of the county. Here the two shores of York River approach within a mile of one another and the deep water between enabled the ships to come close in to the land. As a consequence not only a well had been dug on the south bank for the convenience of the sailors, but in 1661 there were both a ferry and an inn or ordinary near the well for the accommodation of the public. On the point opposite, known first as Tindall's Point after Capt. Robert Tindall, who came with the first settlers, and in the 18th century as Gloucester Point, was a fort called Fort James constructed in 1667 of dirt and in 1672 ordered by the Assembly to be rebuilt of brick, which was accordingly done from clay taken from Col. Baldry's land at York.²⁰ Tindall's Point was, as we have seen, an important locality in Bacon's Rebellion, and after its suppression the General Assembly thought seriously of building the new Jamestown there, and even passed a resolution to that effect which was afterwards reconsidered and repealed.

Col. Lawrence Smith²¹ acted as surveyor, and as laid out by him the fifty acres for the port began "at a marked poplar on the branch adjoining to the River, thence running South Forty de-

²⁰York County Records in William and Mary Coll. Quarterly, XXVI, 34; Hening's Statutes at Large, II, 255, 293.

²¹ For Smith family see *Ibid.*, II, 5-15. Col. Smith died in 1700, leaving a son, John, who became a member of the Council of State and inherited his Gloucester estate, and a son, Lawrence Smith, who succeeded to his Temple Farm estate.

degrees west thirty two poles, south east eight poles, south forty degrees west thirty two poles, south east sixty two poles south forty degrees west ten poles, south thirty eight degrees East sixty two poles, north forty degrees 62 poles to the River side, north thirty 8 degrees West up York River from low water Marke sixty five poles, north forty degrees east ten poles and north west seaventy poles along the said low water marke to the beginning place." The lots into which the fifty acres were divided were half acre lots, most of which were speedily sold, and of which Gov. Francis Nicholson bought three, which in 1696 he presented, with the houses upon them, to the court of York County "to be disposed of for the use of Mr. Robert Leightenhouse the present schoolmaster, and afterwards for the use and advantage of such persons as shall teach school with the approbacon and allowance of the court aforesaid." The sum paid Benjamin Reade for the fifty acres was 10,000 pounds of tobacco and cask. There are in the records a plat of the fifty acres and a chart showing the division into lots, with the names of the first purchasers.

The ancient well, "where the ships usually watered," was near the eastern limits of the town, and as late as 1699 Thomas Pate was licensed to keep ferry there.

The following taken from the York County Records shows the total cost accompanying the Port Land, and the number of record books existing at that time.

At a court held for York County Feby ye 24th 1691/2.

Present Mr. Dudley Digges, Mr. Robert Read, Mr. Thomas Ballard, Mr. Tho. Mountfort, Capt. Peter Temple, Capt. Thomas Harwood, Capt. Charles Hansford, Justices.

An Account of ye whole charge of ye Port Land in York County:

	Tobacco
To ye Consideration thereof	10000
To Caske	00800
To Col. Smith	00500
To Caske	00040
To Wm Sedgwicke	00500
To Caske	00040
To Severall Cops of Ordre abt ye Town	00299

To Sherr's Charges for laying out ye Land & Towne	00715
To caske 12894 lb. Tobaccoe	01032
To Sallery	01290
	<hr/>
	15216

A List of Bookes and papers belonging to ye Courts Office of ye County aforesaid delivered to me ye subscriber by Mr Joseph Ring, & Capt. Thos Ballard by vertue of an order at June Court last 1691/2.

Impris Thirteen Record Books bound five of them dampnyfied in some respects both in the covers and paper.

Impris Five more Record books dampnyfied being unbound & very old.

Impris The Statute att Large, a Collection of ye Statutes att Large, Dalton's Justice, also a bound written booke of ye Lawes of Virga writt by Mr Job Howes.

Impris A Deal box of papers ould and nailed up.

Impris An old Dansick Case of Papers since ye time of Coll: Edmund Jenings being first Clerk here, together with a pcell of loose papers.

March 18 1691/2

Received then [from] ye above named Mr Joseph Ring & Capt Thomas Ballard ye above noted articles according to ye list to receive & be accomptable for, as witnessse my hande ye day and year above these presents written, I say Received \mathfrak{J} me

Wm Sedgwick.

March ye 18 1691/2 Ordered to be committed to ye records (by the) above named Mr. Joseph Ring and Capt Thomas Ballard and is accordingly \mathfrak{J} formed

\mathfrak{J} Wm Sedgwick, Cl. Cur.

Of these records reported as existing in 1692 none of the papers and unbound books are preserved, and but ten of the thirteen bound books.

Doubtless it was expected from the first, that Yorktown, which was the name given to the port, would be the seat of justice as well as the emporium of commerce, but the court seemed to be in no hurry to move from the French Ordinary. Several years passed and it was not till 1696 that action was definitely taken. Then to hasten the purpose Governor Nicholson in October of that year made a promise to give five pounds sterling "towards building the court house at Yorktown" and the General Assembly about

the same time reciting the complaints which came to them of the inconvenience of the existing site to the inhabitants of the county, ordered the court house to be built by the last day of October, of the next year, on a penalty for failure of fifty pounds sterling to be paid by each justice.

Thus prodded the justices contracted with Mr. Henry Cary of Warwick County, at a cost of thirty thousand pounds of tobacco and cask, to put up a building, which was doubtless accomplished in time to escape the legislative penalty; for at a session of the court held September 24, 1697, at the French Ordinary, it was ordered that the next meeting should occur at Yorktown on November 24, 1697.

On that day the following justices were present at the new court house: Mr. Joseph Ring, Capt. Thomas Ballard, Mr. Robert Reade, and Capt. William Buckner. Capt. Thomas Barber, son of Lt. Coll. William Barber, attended as sheriff and William Sedgwick as clerk.

The old prison at the French Ordinary appears to have been used for some time longer. It was not till March 24, 1699, that the court ordered the sheriff to give notice to the members to meet at the court house in Yorktown on the 11th of April following and contract for a building of a prison adjacent thereto and for "such other ye instruments of justice as then will be found necessary to be forthwith undertaken," nor was it till that year that the sheriff was ordered to remove to Yorktown "ye standard of this county and all other implements and materials yt are moveable and belong to this county from the old court house, ye prison, stocks and pillory, and yt ye same be duely pformed sometime betwixt this and the next court." The prison was erected by Mr. Robert Harrison at a cost of 10,000 pounds of tobacco and cask.²²

There was also the project for the erection of a church at Yorktown. Governor Nicholson while subscribing five pounds sterling towards building the court house at Yorktown gave also

²²The tobacco had to be placed in casks for convenient transportation, and this was paid for at the rate of eight per cent, so that Mr. Harrison received 10800 pds.

in 1696 twenty pounds sterling, "if within two years a brick church be erected there." Whether the church was built within the time contemplated is not known, but it was certainly built soon after. Instead of brick, however, the walls were composed of stone marl obtained from the banks of the river, which though soft when first handled quickly hardened when exposed to the air. This church now became the church for York parish, and the old wooden church at Wormeley's Creek was abandoned. In the course of a hundred years it was so entirely forgotten that its scattered foundation bricks were taken as the vestiges of "an ancient temple," and the enclosing walls "as a safeguard against the Indians." Within the enclosure is still a flat slab, bearing a coat of arms and an inscription which reads as follows:

Major William Gooch,²³ of this Parish
Dyed Octob: 29, 1655

Within this tomb there doth interred lie
No shape but substance true nobility;
Itself though young in yeares but twenty nine
Yet graced with vertues morall and divine;
The church from him did good participate;
In councill rare fit to adorn a State.

At the time when Yorktown was laid out the church of New Poquoson stood on the side of the road leading from Yorktown to Hampton, and the site is still marked by some old brick and broken stone. By will proved in 1688 James Calthorpe, son of Col. Christopher Calthorpe, gave to the parish of New Poquoson two hundred feet of land square "for the use of the church where the church now stands."

²³In 1652 William Gooch was a justice of York County, in 1654 he was a member of the House of Burgesses for York County, and on March 31, 1655, he was made Councillor by the General Assembly. He died the following October. Henry Gooch was doubtless a near kinsman, and Governor William Gooch (1727-1749) was doubtless his nephew, as he had an uncle of that name who died in 1655. Major William Gooch left an only daughter, Ann, who married Capt. Thomas Eade, Jr. For Gooch Family, see *Wm. & Mary Quarterly*, V, 110-112.

At this time, too, the church of Marston Parish at the other end of the county stood near the village of Magruder, and its site is marked by tombstones placed there in later times. After its union with Middletown Parish in 1674 to form Bruton Parish, a book containing a register of births and deaths in Marston Parish was used for similar purposes by the new parish, and it is still preserved in Williamsburg, though in a somewhat mutilated condition.²⁴

The church of Hampton Parish stood, first, as it appears probable, near the river in the neck between King's and Felgate's Creeks. About 1700 the old site was abandoned, and a church of brick built on the ridge near the head of Felgate's Creek. This church about 1706 was united as already stated with that at Yorktown and the two parishes of York and Hampton became known as York-Hampton Parish, and for a long time the minister who officiated at Yorktown had under his charge the church at the head of Felgate's Creek just mentioned, still referred to as old "Cheesecake Church" and torn down during the "Civil War," to furnish bricks for the chimneys of the barracks of the Federal officers at Williamsburg.

All the early churches in Yory County including the first church at Middle Plantation, were mere wooden structures, but in 1674 when Bruton Parish was created a small but handsome brick building was erected at Middle Plantation, which was followed by the stone church at Yorktown. At the time of the Revolution all

²⁴In 1658 Major Joseph Croshaw gave an acre of his estate, Poplar Neck, on which stood the church "lately erected" for Marston Parish. Among the ministers of Marston Parish was Rev. Morgan Godwin, son of Morgan Godwin, archdeacon of Shropshire, and great-grandson of Thomas Godwin, Bishop of Bath and Wells. March 16, 1665, he took the degree of A. B. at Oxford and soon after came to Virginia, where he took charge of Marston Parish. He returned to England before 1676 and handed to the Bishop of Winchester "a virulent libel against all the plantations and Virginia in particular." Burke, *History of Virginia*, app., xxxix.) In 1680 he published a dissertation against slavery called *The Negroes and Indians Advocate*—and in 1685 he preached a sermon at Westminster Abbey against the slave trade, preceding by more than a century Wilberforce and Clarkson.

the churches in the Peninsula from Hampton to Richmond were of brick.

CONDITIONS OF LIFE.

Conditions of life in York County in the 17th century were similar to those prevalent in other parts of Eastern Virginia. Besides the animals still extant in the county wolves lurked in the coverts, a menace to sheep and pigs. No county levy is free from rewards paid in tobacco for the destruction of these "pernicious vermin." There are now no beaver in York County and very few otter, but the land grants and deeds of the 17th century make "the beaver dams" and "otter dams" an essential feature in the description of tracts of land, showing the great abundance of these animals at that time.

There was "no wild and wooly west" in York, but society was orderly and organized on the principles which prevailed in the county of the same name in England, modified it is true by the environment. There was the same recognition of classes, though the distinctions were not fixed or constant as in Yorkshire. And if among the servants some convicts were found there were also among them, as the records show, men from the gentry of England, who were attracted to Virginia by the opportunities of fortune making.²⁵ These opportunities, while sometimes the means of raising humble families to a sudden degree of importance, were also active in re-establishing families reduced in wealth but well recognized in England. But there were no hard and fast lines, and York County aristocracy was without the influence of any class of lords or peers; and universal suffrage for the House of Burgesses stimulated all freemen towards an equality of independence. Moreover, the leading men were generally from the younger sons of the English gentry in England, whose pretensions to aristocracy were much diminished by their character as merchants.

²⁵For an example of this kind, see York Records in *William and Mary Coll. Quarterly*, XXVI, p. 31, where William Gardner, of Ludlow, gentleman contracted to serve Mrs. Eliz. Higginson three years.

Virginia owes much to the London firms, because they were continually sending over trusted young agents like Samuel Timson, many of whom settled down and founded Virginia families. York County was essentially a colony of London.

This class system, and its precarious authority at the same time, is illustrated by two apt instances in the York records. In 1673, James Bullock, a tailor residing in York County, was fined 100 pounds of tobacco for his unprecedented presumption in running his mare in a race with a horse belonging to Dr. Matthew Slader for a wager of 2,000 pounds of tobacco. Racing was declared by the justices "a sport for gentlemen only."²⁶ On the other hand, William Hatton in 1662 scandalized the court by declaring that the justices who composed it were a lot of "coopers, hogg-trough makers, pedlars, cobblers, tailors, weavers, and not fitting to sit where they doe sit."²⁷ He was hauled up and made to eat his words, but the records show that one of the court at least, Lt. Col. William Barber, had been a cooper in the early day of his residence in the colony, and Major James Goodwin another was the son of a salter in London. All were engaged in merchandizing.

The terms "gentleman and yeoman" had pretty nearly the same meaning as they had in England, but they lacked in application the character of persistency. Land was easy to get, and the yeoman readily became a gentleman. "Mister" and "Mistress" were terms applied in conversation to persons of the better condition, and in the documents all persons of inferior grade are named without any title, and when spoken to were addressed as "Goodman" and "Goodwife." The term "Esquire" was strictly confined to members of the council, and the sons of knights, of whom there were very few in the colony. "Clerk," pronounced "clark," was a term descriptive not only of clerks of courts and the House of Burgesses and committees of the House and Council, but of ministers of the gospel.

The church establishment was modeled after the Church of England, and there were very few persons of other religious pro-

²⁶York Records, in *Ibid.*, III, 136.

²⁷York Records, in *Ibid.*, XXVI, 30.

fessions. About the middle of the century the Quakers excited apprehension by their strange doctrines, and the sheriff was instructed to break up their meetings. In 1661 the fractiousness of Mr. Thomas Bushrod, a justice himself, who took the Quakers under his protection, occasioned a lively scene in court, which resulted in his arrest—and reference to the governor and council.²⁸ There were long intervals in which these people were not disturbed, but on occasions the authorities in the county would recur to their old apprehensions, and such Quakers as had been non-attendant on the church would be summoned and fined. No harsh jail sentences, nor any whippings, nor any personal mutilations were inflicted. Toward the close of the century the toleration act took effect in Virginia, and there was a Quaker congregation near Skimeno, in which James Bates and Edward Thomas were leading members.

The business of the merchants consisted largely in buying and selling tobacco and importing settlers and servants, for each of which if imported at their expense the merchants were entitled to fifty acres of land. Then there was the usual trade in clothing and articles of general use. During the whole of the 17th century labor was chiefly performed by white men, and negroes were not present in any great number.

The society was largely that of city people transferred to rural conditions. They missed the community life of New England, but social relations were encouraged by the crowds brought together at the County Courts, funerals, marriages and races. We have much data regarding funerals, which shows the expenditure of much money on the entertainment of guests, who came from miles away. Whole beeves would be consumed, and much powder used in firing salutes. At the funeral of Major Philip Stevens, a Parliamentary officer who came over in 1649 with Col. Henry Norwood, as much as ten pounds of powder was consumed in his honor. But the expenditure of powder was insignificant in comparison with the consumption of liquor. The amount drank

²⁸York Co. Records in William and Mary Coll. Quarterly, II. 29-31.

in burying John Griggs in 1676 was six gallons of cider and six gallons of rum, and the whole expense of the funeral was estimated at 1750 pds. of tobacco, which appears rather disproportional to the value of his estate. There were not wanting people, however, who even in that day, when drinking was universal, condemned the custom at funerals, among whom was Rev. Edmund Watts, who in 1676 directed that there should be no drinking at his funeral having observed that "it tended much to the dishonor of God and his true religion."²⁹

According to the law of the colony servants, who were imported without indentures, specifying the term and condition of service, were compelled to serve five years, or, if under 24, till reaching that age, and on their release were entitled to two barrels of corn, two suits of clothes, a pair of canvas drawers, two shirts and one felt hat. During their service the custom seems to have been to give them meat three times a week, and when Major James Goodwin violated this custom by confining his servants to a diet of corn bread and water, much murmuring arose at his quarters. The ringleader, Isaac Friend, spoke of getting a matter of 40 armed men together, who should go through the country, crying "who would be for liberty and free from bondage." Any dangerous results were prevented by the vigilance of the magistrates, who entered an order desiring "the severall magistrates and masters of families to prevent the like dangerous discourses in those parts and carefully to look into the practice and behaviour of their severall servants."³⁰

The unrest of the servants in York had probably some connection with the widespread conspiracy of the servants the following year in Gloucester County, on the north side of the York. Many Oliverian soldiers had been sent over to serve, and being in disfavor because of their conduct in England, were treated in Virginia with doubtless more than usual severity. The betrayal

²⁹Bruce, *Social Life of Virginia in the Seventeenth Century*, p. 220; York County Records.

³⁰York Records in William and Mary Coll. Quarterly, VI, 34-37.

of their plot by one of their number enabled the authorities to put down what might have proved a very dangerous uprising.

A servant who raised his hand against his master or mistress was punished by an extension of his term of service two years, but servants had their protection in the authority of the court, to whom they were authorized to appeal if badly treated. There are repeated instances recorded in the York court books of the interference of the justices for their protection against cruel masters.

The following letter recorded in one of the York books is much to the credit of Sir William Berkeley:

Majr Croshaw: Here hath been a woman servant wth me who hath been most unChristianly used by hir master one Jno Russell I desyre you to call him before you & if he will not give security for his better useing of hir then you are to bind him over to the County Court, where I doubt not but the Com^{rs} will take care servants shall be Christianly used.

May 2d A^o 1661

Yor freind & servant
Wm Berkeley.

Major Croshaw bound Russell over to keep the peace in the penalty of forty pounds, which at a court held in June, 25 lbs. was declared forfeited, because of Russell's uncivil language to Major Croshaw, from which, however, he was relieved at the court for August following, by his making humble submission and asking forgiveness.

The county court met at first monthly, and then six times or more a year. The number of justices was eight, but they were seldom all present. At the last term each year the court laid the annual levy. This was assessed on the number of tithables in the county. In those days labor was in great demand and a man's wealth was dependent on the number of persons in his family. The tithable was for the most part any white man and all negroes of both sexes above sixteen, and the population was supposed to be four times the number of tithables. Thus in 1700 the number of tithables in York County was 1180, so its population was probably about 5000.

The county court had a considerable range of authority. It appointed the supervisors of the highways, the ferrymen, the constables, and other officers, and saw that they complied with the law.

A word as to the professions. The physicians appears to have been chiefly apprentices attracted to Virginia by the lack of any restrictions on the practice of medicine. The regularly graduated man was probably the exception. Their help was greatly needed from the prevalence of scurvy among the servants, and the chills and fever, which was very fatal. For most of the 17th century, one out of five immigrants was lucky if he survived the first year of his stay, and this period of probation was called the "seasoning time." The mortality fell chiefly upon the servant class, who were most exposed. Among the more prominent men of the medical profession during this century were Dr. Giles Mode and Dr. John Petit, two Frenchmen, whose names were anglicised into Moody and Pettit, by which their descendants are known in Virginia today, Dr. Francis Haddon, Dr. Henry Waldron, Dr. Patrick Napier, Dr. Henry Lee, Dr. John Toten, and Dr. Matthew Slader.

The lawyers were also, like the doctors, largely untrained men. The business of the courts was at first of a very simple character, and there was not much need of expert lawyers. But Henry Cabot Lodge did not know what he was talking about, when in one of his books he says that the early lawyers of Virginia "were for the most part pettifoggers and sharpers, broken adventurers from London and indentured servants." If Mr. Lodge had taken the trouble to examine the Virginia order books he would not have made such an ill-founded remark. As a matter of fact, the lawyers of York County were like the lawyers of other counties in Virginia, the first men in the community. At first the causes were pleaded by the more prominent merchants and planters, acting for the parties in suit. But towards the latter part of the century trained lawyers began to make their appearance. A simple statement of the names of the lawyers is a sufficient rebuttal of the charge made by Mr. Lodge. We find in 1646 among the lawyers William Hockaday, Francis Willis, Thomas Bushrod and Dr. Robert Ellyson: about 1660 John Morecroft, James Bray, Thomas Ballard, John

Page and Daniel Parke; about 1675 William Swinnerton, William Sherwood and Gideon Macon; about 1690 Benjamin Harrison, Robert Hyde, Hugh Owen, Dionysius Wright, Isaac Sedgwick and Jams Whaley. Of these, Willis, Bray, Ballard, Page and Parke became members of the Council of State; Hockaday, Bushrod, Ellyson and Macon were at different times members of the House of Burgesses. With the exception of Sherwood, Harrison and Wright, who were trained lawyers, and the possible exception of Hyde, Owen, Morecroft and Sedgwick, all were merchants and planters, well informed but not regularly trained to the law.

No conclusion to the disadvantage of the lawyers is to be drawn from the acts of the Assembly during this century. Rural communities are ever jealous of special classes, and strictures on the profession of law are sometimes even yet heard in rural districts of Virginia.

The inventories of estates show the great increase in wealth in York County throughout the century. Towards the latter part some of the planters had as many as a hundred cattle and from twenty to thirty horses. The houses were well furnished with plate, carpets, chairs, beds and other furniture. The planters did not use forks, and they are not noticed in the inventories during this century.

The houses were as a rule framed structures, one story and a half high with dormer windows and a chimney at each end. Towards the middle of the century brick houses began to appear. The Lee house, and that at "Ringfield," formerly the home of Joseph Ring, doubtless belong to this early period.

The amount of education in York was above the average for that age. Nearly every inventory enumerates books, and the wills have frequent provisions regarding education. There were many teachers and tutors, and the county courts looked after the poor children and saw that they were taught to read and write by binding them out to useful trades with this requirement in the indentures. As a colony of the great English metropolis, York County in the 17th century had doubtless more of culture than was to be found anywhere else in the English colonies.

CONCLUSION.

This account of York County during the 17th century may be concluded with some extracts from the records, which throw light upon the character of the people that came to Virginia and on their mode of life.³¹

Mr. Tom Peck, one of the younger sons of Mr. Henry Peck, of London, merchant, came to Virginia about 1650, and had stores in James City County and York. His letters show that he was affectionately assisted by his father and brother Charles, for whom he acted as agent in Virginia.

Mr. Henry Peck to Tom Peck.

Tom: Out of a true sense of yor condition which hath more wrought upon me than my own Necessityes I have to my own preiudice sent you another servant (Vizt) a Boy; which though it may seem but little to you, yet to me, in ye condition I am yet in, it is a great matter to spare Tenne pounds, for soe much or neare it every servant stands me in. Besides you may consider what I have formerly done for you which I am sure hath been more than any man in England hath done for his younger children. Nay there be many that have farre greater estates than I ever had have not done hardly halfe soe much for them as I have done. But if God blesse me & ever make me able, I shall doe what is fitting for mee to doe hoping God will blesse your Industry in ye meane time, & that above all things your care to serve him shall Increase more and more which that it may is ye dayly prayers of

Yor Loving ffather

H Pecke

July 26, 1659

To Mr. Tho: Pecke, m^rchant at Skiffes Creek on James River in Virginia

Recr 17 Novemb 1659

³¹For full information the reader is referred to Dr. Philip Alexander Bruce's noble works, *The Economic History of Virginia During the Seventeenth Century*, *The Institutional History During the Seventeenth Century*, and *The Social History of Virginia During the Seventeenth Century*.

Mr. Charles Peck to Mr. Tom Peck.

July 28th 1659

Dearest Brother

I have sent you goods & one servant in John Chambers Mr of ye *Prosperous*, & in ye *Charles*, Saml Cooper Master, two servants and goods two boxes with hatts No 1, 2, C. T., and a bayle of cloth & one mothers box in ye Bayle C. T. No 3 in ye *Charles*. I pray doe ye most you can for me this yeare, for I doe intend for to send to you in some other shipp this yeare, in ye *Pilgrim* or some other shipp or by Mr Hunt.

I am willing to doe what I can for you and doe still intend for to entreat our ffather. He doth not know that I have sent you a mayd servant or goods this yeare. I told him that I have sent James Clarke to serve you for an yeare, for to help you till you get other servants, and that James Clarke will doe you but little good, for you must send something for his yeare's service.

I have gott money of him for the Boy. I pray give him thanks & wright to him & our mother & earnestly entreat them for to supply you once more, for I find them willing if hee could get money in & happily hereafter hee may; however in ye meantime I will not be unmindful of if I see opportunity for to doe you good.

I have spoken to one yt was Mr Gowres man, one Mr Thomas Solsbury newly out of his time, for to make you his ffactor, for he is heare part owner of a shipp & told me that he did intend hir for James River, but ye rest of the owners were not agreed, & he answered if hee could have his will hee would not be unmindful of my Brother. If anything happen I pray doe yor best, for he is a man of gentile spiritt & much a gentleman & merchant, & if I bee not mistaken hee is of a better nature then young Mr Gower.

I pray if tobacco be very deare, I mean ordinary, send not too much but rather if you can, send me a bill of Exchange for to receive moneys & som sweet scented, soe they be very right; that I may have moneys for to cleare them I pray send one hhd of your own cropt & Ile send you how it proceeds here.

As for ye mayd I have promised that shee should be a servant in your house for to ye worke of a servant mayd, & that she should not be sold unlesse that [to?] some planter for a wife. I pray send returne for hir.

Remember my kind love to my sister & I pray be kind to James Clarke.

Soe I rest yor Brother to serve you & love, whilst I am
Charles Pecke.

I pray send this letter enclosed as sook as you can.

Recordr 17 Novemb 1659

Before this letter arrived or soon after Mr. Tom Peck died, and his widow Elizabeth was allowed to take over the goods and servants shipped to her husband. On June 20, 1660, "Charles Pecke of London merchant" appointed "James Clarke, dwelling at Yorke now in Virginia M^rchant" (& in case of his death Wm. Hay of the same place and Nathaniel Hunt of James River in Virginia "Merchants") his lawful attorney and agent in Virginia.

The following letter is from Capt. Richard Longman, merchant in London, to Mr. Richard Jones in Virginia. Mr. Jones was a planter of some means, and his daughter Elizabeth afterwards married Thomas Hansford. He died soon after this letter was written. At this time Longman was represented in Virginia by John Achley and his son Richard Longman, Jr.:

Capt. Richard Longman to Mr. Richard Jones.

Loving freind Mr Richard Jones:

Yors I reced $\text{\textcircled{C}}$ Capt. Cooper & by the *Lyon*. I was very glad to heare of your safe arrivall, though with a long and tedious voyage. I am sorry to heare of ye losse of yor sonne & of yor servants; blessed be God yt you was soe well your selfe, for I did very much feare it haveing so long a passage.

By Capt Wilson I sent you a Letter, haveing another opportunity. I thought convenient to let you know that I am in good health with the rest of my family & I hope this will meet with you & your family in ye like condition. Capt Wilson doth intend to make two voyages this year that makes him hasten so soon.

There is no good newes to write you at all, for we know not who shall govern us as yet; here is very dead times, for trading was never worse, but I doe not question to make as much of tobacco as any man shall according to its quality.

Mr. Jones, I hope I shall not need say much to you concerning ye ordering of your tobaccos; give it, but substance & cure it green & whatever you doe pack it true; let it be all of one cise as neare as you can & in small bundles & I doe not question by ye Grace of God to Answer yor expectation or any friend of yors that you can write to me that maketh good tobaccoe; the *Wm & John* & Capt ffox is not arrived as yet but expected very speedily.

My wife & all my family desyre kindly to be remembered to you & Mrs Jones & soe doth your assured freind.

Richard Longman.

th^e 15th of June 1659.

For Mr Richard Jones living in Cheescake Parish, Yorke River in Virga, from a freind whom God pserved.

Orders Relating to Servants.

At a court held for York Co. 31, 1661. In the difference between Daniel Smith pltf & Wm Crumpe attorney to Mr Robet Vaulx deft. Itt is Ordered yt ye said Daniell be paid his freedome Corne (his freedom clothes being already paid) and that his Inkhorne, books, wrightings and other things which hee brought into ye Countrey with him bee returned wth costs of suit als. Execucon.

At a Court Holden for Yorke April 24th 1665. In the difference between Judith Walker, pltf. & Mr Edmund Cheesman dft concerning ye pltes freedome beinge formerly servt to ye deft & It appearing yt ye deffe delivered her up her Indentures It is ye courts opinion & thereupon ordered that ye pltf be free & that shee have her clothes & Trunkes delivered her & yt the deffe pay costs als Exec

At a Court &c 24 Oct. 1662. John Shelton ordered to serve his master "one whole yeare" after the expiration of his Indentures according to act of Assembly, "for useing threatening speeches to his master Thomas Morley and striking his overseer, his master's son William."

Some Records Relating to Old Attorneys of York Co.

[Court June 16, 1646]

Mr Kiggan my respects. These are to intreate you to do me the favour as to present my business in court concerning Mr Ludlowe. John Phillips was to have been my attorney but hee is by accident fallen lame and therefore cannot appeare. And yis note shall fully oblige me to stand to without any contradiction what shall by you be accomplished and ever remaine yrs to comand

Christopher Boyse

[Court 24 Sept 1647]

Mr Bushrod: Loveing ffreind, with my best respects remembered I pray you to let me entreate to psecute a suite for me against Capt. Ralph Wormeley for a debt due to Joseph Nettmaker from the estate of Luke Stubbins decd. I have sent yu Mr. Nettmakers letter of attorney, by which I give you power to psecute ye suite yrselpe or to appointe another. I have sent you also Mr Stubbins his note under Mr Nettmaker his hand and Mr John Stringers deposicon to prove the debt. I believe Capt Wormeley will pay ye debt without suite when he sees Mr. Stringers deposition Not ells at present I rest yrs to be Comanded

Cornelius Lloyd.

[Court, Dec 21, 1661]

Mr. Bray: This is first to give you thanks for your civility at Kent Court concerning Terrell, and indeed I shall not forget it, but I have made you ample satisfacion and indeed is the ground and cause of this my writing to you that is to be my Attorney now at this Yorke Court. If you refuse it for any reason that you are engaged to ye other party as being employed by him, then be so civill as to crave a Reference till ye next court, for I finde mysef so disabled in body that I dare not venture as yet; though I have attempted twice to go out of doores, I have found that I have gone by ye worst of it. Now ye business is yat Newell [Jonatban Newell a leading merchant of James City Co.] sues me for a debt of my wives a pretended bill past to him for a servant of five hundred pounds of tobacco past in hir husbands lifetime. Now I would faine know of him what force that is, shee being under covert baron. If the court grant judgment upon that, Appeale to Towne The second is Mr Aldrey's for a hogshead of tobaccoe. It appeared that ye tobaccoe was worth nothing by ffoure deposicons. If hee Newell substantially proves that was his hogshead which must be by two oathes, then submit to ye judgment of ye Court

Another action of Case Newell hath Arrested me on Thursday last. What it is for I cannot tell nor devise, therefore can give noe instruction soe of necessity you must crave a Reference, for if I did know what it was yet in that case that I am in I could not in that time provide mysef to Answer him.

Nor Sr when this Court is over if you please to entertain my businesse with my freinds you shall finde a considerable business for ye Quarter Court and I shall give you very good sallary I doubt not but to your content So I cease to wright leaving many things to your discretion.

Joseph Croshaw.

[Court August 25, 1662]

It is ordered that Mr John Page and Mr. James Bray, for their uncivill wrangling and rude deportment in the face of the Court, be taken into the Sheriff's custody till the Courts further pleasure therein be known.

(Both lawyers apologized and they were "discharged from their comittment paying costs.")

[Court May 24, 1660]

Capt [Daniel] Parke: Mair Croshaw hath arrested mee to Yorke Court. You know ye Governrs command lyes upon mee to attend him & ye speaker to Nanzimond: if therefore either the crossnesse

of winds or any other intervening accord should impede my returning I shall entreat you in my behalfe to crave a Reference untill General Court. In doing this you will engage yor freind & servt

Edward Folliott

May ye 15 1660

(Mr. Folliott was at this time minister of Marston Church. It appears that later he was minister of York Parish. He was a son of Sir John Folliott and Elizabeth Aylmer, daughter of John Aylmer; Bishop of London. He left descendants in Virginia.)

Court November the 12th 1678.

Mr William Sherwood appeared attorney for Samuel Richardson and Mr Gideon Macon for James Bullocke