

Jamestown 1652-1656.

Bennet and Clayborne reduce Maryland—Cromwell's Letter—Provisional Government organized in Virginia—Bennet made Governor—William Clayborne Secretary of State—The Assembly—Counties represented—Cromwell dissolves the Long Parliament, and becomes Lord Protector—Sir William Berkley—Francis Yeardley's Letter to John Ferrar—Discovery in Carolina—Roanoke Indians visit Yeardley—He purchases a large Territory—William Hatcher—Stone, Deputy Governor of Maryland, defies the Authority of the Commissioners Bennet and Clayborne—They seize the Government and entrust it to Commissioners—Battle ensues—The Adherents of Baltimore defeated—Several prisoners executed—Cromwell's Letters—The Protestants attack the Papists on the Birth-day of St. Ignatius.

Not long after the surrender of the Ancient Dominion of Virginia, Bennet and Clayborne, commissioners, embarking in the Guinea frigate, proceeded to reduce Maryland. After effecting a reduction of the infant province, they, with singular moderation, agreed to a compromise with those who held the proprietary government under Lord Baltimore. Stone, the governor, and the council, part of them Papists, none well affected to the Commonwealth of England, were allowed, until further instructions should be received, to retain their places, on condition of issuing all writs in the name of the Keepers of the Liberty of England.[222:A] Sir William Berkley, upon the surrender of the colony, betook himself into retirement in Virginia, where he remained free from molestation; and his house continued to be a hospitable place of resort for refugee cavaliers. There was, no doubt, before the surrender, a considerable party in Virginia, who either secretly or openly sympathized with the parliamentary party in England; and upon the reduction of the colony these adherents of the Commonwealth found their influence much augmented.

[223]On the 30th of April, 1652, Bennet and Clayborne, commissioners, together with the burgesses of Virginia, organized a provisional government, subject to the control of the Commonwealth of England. Richard Bennet, who had been member of the council in 1646, nephew of an eminent London merchant largely engaged in the Virginia trade,[223:A] was made governor, April 30, 1652; and William Clayborne, secretary of state for the colony. The council appointed consisted of Captain John West, Colonel Samuel Matthews, Colonel Nathaniel Littleton, Colonel Argal Yeardley, Colonel Thomas Pettus, Colonel Humphrey Higginson, Colonel George Ludlow, Colonel William Barnett,[223:B] Captain Bridges Freeman, Captain Thomas Harwood, Major William Taylor, Captain Francis Eppes, and Lieutenant-Colonel John Cheesman. The governor, secretary, and council were to have such power and authorities to act from time to time as should be appointed and granted by the grand assembly.[223:C] The government of the mother country was entitled "the States," as the United States are now styled in Canada. The act organizing the provisional government concludes with: "God save the Commonwealth of England, and this country of Virginia." The governor and councillors were allowed to be, ex-officio, members of the assembly. On the fifth day of May, this body, while claiming the right to

appoint all officers for the colony, yet for the present, in token of their implicit confidence in the commissioners, referred all the appointments not already made to the governor and them. The administration of Virginia was now, for the first time, Puritan and Republican. The act authorizing the governor and council to appoint the colonial officers was renewed in the following year. The oath administered to the burgesses was: "You and every of you shall swear upon the holy Evangelist, and in the sight of God, to deliver your opinions faithfully and honestly, according to your best understanding and conscience, for the general good and prosperity of the country, and every particular member thereof, and to do your utmost endeavor to prosecute that without mingling with it any particular interest of any person or persons whatsoever."

[224]The governor and members of the council were declared to be entitled to seats in the assembly, and were required to take the same oath. This assembly, which met on the 20th of April, 1652, appears to have sat about ten days. There were thirty-five burgesses present from twelve counties, namely: Henrico, Charles City, James City, Isle of Wight, Nansemond, (originally called Nansimum,) Lower Norfolk, Elizabeth City, Warwick, York, Northampton, Northumberland, and Gloucester—Lancaster not being represented.[224:A] Rappahannock County was formed from the upper part of Lancaster in 1656.

At the commencement of the ensuing session of the assembly, which met in October, 1652, Mr. John Hammond, returned a burgess from Isle of Wight County, was expelled from the assembly as being notoriously a scandalous person, and a frequent disturber of the peace of the country by libel and other illegal practices. He had passed nineteen years in Virginia, and now retired to Maryland; he was the author of the pamphlet entitled "Leah and Rachel." [224:B] Mr. James Pyland, another burgess, returned from the same county, was expelled, and committed to answer such charges as should be brought against him as an abettor of Mr. Thomas Woodward, in his mutinous and rebellious declaration, and concerning his the said Mr. Pyland's blasphemous catechism. These offenders appear to have been of the royalist party.

In the year 1653 there were fourteen counties in Virginia, Surry being now mentioned for the first time, and the number of burgesses was thirty-four. The people living on the borders of the Appomattox River were authorized to hold courts, [225]and to treat with the Indians. Colonel William Clayborne, Captain Henry Fleet, and Major Abram Wood were empowered to make discoveries to the west and south. In July, some difference occurred between the governor and council on the one side, and the house of burgesses on the other, relative to the election of speaker. The affair was amicably arranged, the governor's views being assented to. Bennet appears to have enjoyed the confidence of the Virginians. He was too generous to retaliate upon Sir William Berkley and the royalists who had formerly persecuted him. Some malecontents were punished for speaking disrespectfully of him, and refusing to pay the castle duties. From the charges brought against one of these, it appears that the Virginians considered themselves, under the articles of surrender, entitled to free trade with all the world, the

navigation act to the contrary notwithstanding; and that act does not appear to have been enforced against Virginia during the Commonwealth of England.[225:A] By the articles of surrender the use of the prayer-book was permitted, with the consent of a majority of the people of the parish, for one year; so that it would seem that its use was prohibited after March 12th, 1653; but the prohibition was not enforced, and public worship continued as before without interruption.[225:B] In April, 1653, Oliver Cromwell dissolved the Long Parliament, and in December, in the same year, assumed the office of Lord Protector of the Commonwealth of England, Scotland, and Ireland. Owing to the war with Holland, Sir William Berkley's departure from Virginia was delayed, and, in conformity with the articles of convention of 1651, he now became subject to arrest. But the assembly passed an act, stating that as the war between England and Holland had prevented the confirmation of the convention of 1651, in England, or the coming of a ship out of Holland, and Sir William Berkley desiring a longer time, namely, eight months further, to procure a ship out of Flanders, in respect of the war with Holland, and that he should be exempted from impost duty on such tobacco as he should lade in her; "it is condescended that his request shall be granted." Some seditious disturbances having taken place in Northampton County, on the Eastern [226]Shore, in which Edmund Scarborough was a ringleader, it was found necessary for Governor Bennet, Secretary Clayborne, and a party of gentlemen, to repair thither for the purpose of restoring order. Roger Green, and others, living on the Nansemond River, received a grant of land on condition of their settling the country bordering on the Moratuck or Roanoke River,[226:A] and on the south side of the Chowan. Divers gentlemen requesting permission, were authorized, in 1653, to explore the mountains. The ship Leopoldus, of Dunkirk, was confiscated for the use of the Commonwealth of England, for violating the navigation act; and the proceeds, amounting to four hundred pounds sterling, were given to Colonel Samuel Matthews, agent for Virginia at the court of the Protector, Colonel William Clayborne, secretary, and other officers, in return for their services in the matter of the forfeited ship.

Captain Francis Yeardley, who has been mentioned before, was a son of Sir George Yeardley, some time governor of Virginia, and Lady Temperance, his wife, and was born in Virginia. A letter dated in May, 1654, was addressed by him to John Ferrar, at Little Gidding, in Huntingdonshire, brother to Nicholas Ferrar, whose name is so honorably connected with the early annals of Virginia. The younger Yeardley describes the country as very fertile, flourishing in all the exuberance of nature, abounding especially in the rich mulberry and vine, with a serene air and temperate clime, and rich in precious minerals. A young man engaged in the beaver trade having been accidentally separated from his own sloop, had obtained a small boat and provisions from Yeardley, and had gone with his party to Roanoke, at which island he hoped to find his vessel. He there fell in with a hunting party of Indians, and persuaded them and some of the other tribes, both in the island and on the mainland, to go back with him and make peace with the English. He brought some of these Indians with the great man, or chief of Roanoke, to Yeardley's house, which was probably on the Eastern Shore, where his [227]father had lived

before him. The Indians passed a week at Yeardley's. While there, the "great man" observing Yeardley's children reading and writing, inquired of him whether he would take his only son, and teach him "to speak out of the book, and make a writing." Yeardley assured him that he would willingly do so; and the chief at his departure expressing his strong desire to serve the God of the Englishmen, and his hope that his child might be brought up in the knowledge of the same, promised to bring him back again in four months. In the mean time Yeardley had been called away to Maryland; and the planters of the Eastern Shore suspecting, from the frequent visits and inquiries of the Indian, that Yeardley was carrying on some scheme for his own private advantage, were disposed to maltreat the chief. Upon one occasion, when Yeardley's wife had brought him to church with her, some over-busy justices of the peace, after sermon, threatened to whip him, and send him away. The "great man" being terrified, the lady taking him by the hand, resolutely stood forth in his defence, and pledged her whole property, as a guarantee, that no harm to the settlement was intended, or was likely to arise from the Indian's alliance. Upon Yeardley's return from Maryland, he dispatched, with his brother's assistance, a boat with six men, one being a carpenter, to build the great man an English house; and two hundred pounds for the purchase of Indian territory. The terms of the purchase were soon agreed upon, and Yeardley's people "paid for three great rivers and also all such others as they should like of, southerly." In due form they took possession of the country in the name of the Commonwealth of England, receiving as a symbol of its surrender, a turf of earth with an arrow shot into it. The territory thus given up by the Indians was a considerable part of what afterwards became the province of North Carolina. As soon as the natives had withdrawn from it to a region farther south, Yeardley built the great commander a handsome house, which he promised to fit up with English utensils and furniture.

Yeardley's people were introduced to the chief of the Tuscaroras, who received them courteously, and invited them to visit his country, of which he gave an attractive account; but his offer could not be accepted, owing to the illness of their interpreter. [228] Upon the completion of his house, the Roanoke chief came, with the Tuscarora chief and forty-five others, to Yeardley's house, presented his wife and son and himself for baptism, and offered again the same symbol of the surrender of his whole country to Yeardley; and he in his turn tendering the same to the Commonwealth of England, prayed only "that his own property and pains might not be forgotten." The Indian child was presented to the minister before the congregation, and having been baptized in their presence, was left with Yeardley to be bred a Christian, "which God grant him grace (he prays) to become." The charges incurred by Yeardley in purchasing and taking possession of the country, had already amounted to three hundred pounds.[228:A]

At the meeting of the assembly in November, 1654, William Hatcher being convicted of having stigmatized Colonel Edward Hill, speaker of the house, as an atheist and blasphemer, (from which charges he had been before acquitted by the quarterly court,) was compelled to make acknowledgment of his offence, upon his knees, before Colonel Hill and the assembly. This

Hatcher appears to have been a burgess of Henrico County in 1652. More than twenty years afterwards, in his old age, he was fined eight thousand pounds of pork, for the use of the king's soldiers, on account of alleged mutinous words uttered shortly after Bacon's rebellion.

Upon the dissolution of the Long Parliament and the establishment of the Protectorate, Lord Baltimore took measures to recover the absolute control of Maryland; and Stone, (who since June, 1652, had continued in the place of governor of Maryland,) in obedience to instructions received from his lordship, violated the terms of the agreement, which had been arranged with Bennet and Clayborne, acting in behalf of the Parliament, and set them at defiance. These commissioners having addressed a letter to Stone proposing an interview, he refused to accede to it, and gave it as his opinion, that they were "wolves in sheep's clothing." Bennet and Clayborne, claiming authority derived from his Highness [229]the Lord Protector, seized the government of the province, and entrusted it to a board of ten commissioners.[229:A]

When Lord Baltimore received intelligence of this proceeding, he wrote to his deputy, (Stone,) reproaching him with cowardice, and peremptorily commanded him to recover the colony by force of arms. Stone and the Marylanders now accordingly fell to arms, and disarmed and plundered those that would not accept the oath of allegiance to Baltimore. The province contained, as has been mentioned before, among its inhabitants a good many emigrants from Virginia of Puritan principles, and these dwelt mainly on the banks of the Severn and the Patuxent, and on the Isle of Kent. They were disaffected to the proprietary government, and protested that they had removed to Maryland, under the express engagement with Governor Stone, that they should enjoy freedom of conscience, and be exempt from the obnoxious oath. These recusants now took up arms to defend themselves, and civil war raged in infant Maryland. Stone, to reduce the malecontents, embarking for Providence with his men, landed on the neck, at the mouth of the Severn. Here, on the 25th of March, 1654, he was attacked by the Protestant adherents of Bennet and Clayborne, and utterly defeated; the prisoners being nearly double of the number of the victors, twenty killed, many wounded, and "all the place strewn with Papist beads where they fled."

During the action, a New England vessel seized the boats, provision, and ammunition of the governor and his party. Among the prisoners was this functionary, who had been "shot in many places." Several of the prisoners were condemned to death by a court-martial; and four of the principal, one of them a councillor, were executed on the spot. Captain William Stone, likewise sentenced, owed his escape to the intercession of some women, and of some of Bennet and Clayborne's people.[229:B] John Hammond, (the same who had been, two years before, expelled from the Virginia Assembly,) also one of the condemned, fled in disguise, and escaped to England in the ship *Crescent*. The master [230]of this vessel was afterwards heavily fined by the Virginia assembly for carrying off Hammond without a pass. Of the four that were shot, three were Romanists; and the Jesuit fathers, hotly pursued, escaped to Virginia, where they

inhabited a mean low hut.[230:A]

Thus Maryland became subject to the Protectorate. The administration of the Puritan commissioners was rigorous, and the Maryland assembly excluded Papists from the pale of religious freedom. Such were even Milton's views of toleration;[230:B] but Cromwell, the master-spirit of his age, soared higher, and commanded the commissioners "not to busy themselves about religion, but to settle the civil government." He addressed the following letter, dated at Whitehall, in January, 1654, to Richard Bennet, Esq., Governor of Virginia:—

"Sir:—Whereas, the differences between the Lord Baltimore and the inhabitants of Virginia, concerning the bounds by them respectively claimed, are depending before our council and yet undetermined; and whereas, we are credibly informed you have, notwithstanding, gone into his plantation in Maryland, and countenanced some people there in opposing the Lord Baltimore's officers; whereby and with other forces from Virginia, you have much disturbed that colony and people, to the engendering of tumults and much bloodshed there, if not timely prevented:

"We, therefore, at the request of the Lord Baltimore and divers other persons of quality here, who are engaged by great adventures in his interest, do, for preventing of disturbances or tumults there, will and require you, and all others deriving any authority from you, to forbear disturbing the Lord Baltimore, or his officers, or people in Maryland, and to permit all things to remain as they were before any disturbance or alteration made by you, or by any other, upon pretence of authority from you, till the said differences, above mentioned, be determined by us here, and we give farther order herein.

"We rest, your loving friend,

"OLIVER, P."

[231]Cromwell was now endeavoring to heal the wounds of civil war, to allay animosities, and to strengthen his power by a generous and conciliatory policy, blended with irresistible energy of action. In return for Lord Baltimore's ready submission to his authority, the Protector apparently recognized his proprietary rights in Maryland, yet at the same time, he sustained and protected his commissioners, only curbing the violent contest that had arisen between Virginia and Maryland respecting their boundary. His policy as to the internal government of these colonies was one of a masterly inactivity.

"To the Commissioners of Maryland.

"Whitehall, 26th September, 1655.

"Sirs:—It seems to us, by yours of the twenty-ninth of June, and by the relation we received by Colonel Bennet, that some mistake or scruple hath arisen concerning the sense of our letters of the twelfth of January last; as if by our letters we had intimated that we should have a stop put

to the proceedings of those commissioners who were authorized to settle the civil government of Maryland. Which was not at all intended by us; nor so much as proposed to us by those who made addresses to us to obtain our said letter. But our intention (as our said letter doth plainly import) was only to prevent and forbid any force or violence to be offered by either of the plantations of Virginia or Maryland, from one to the other, upon the differences concerning their bounds, the said differences being then under the consideration of ourself and council here. Which, for your more full satisfaction, we have thought fit to signify to you, and rest

"Your loving friend,

"OLIVER, P."[231:A]

Remembering, however, Lord Baltimore's ready submission to his authority, he nominally, at the least, restored him to his control over the province.

It was the custom of the Maryland Romanists to celebrate, by a salute of cannon, the thirty-first of July, the birth-day of St.

[232]Ignatius, (Loyola,) Maryland's patron saint. On the 1st of August, 1656, the day following the anniversary, a number of Protestant soldiers, aroused by the nocturnal report of the cannon, issued from their fort, five miles distant, rushed upon the habitations of the Papists, broke into them, and plundered whatever there was found of arms or powder.

FOOTNOTES:

[222:A]"Virginia and Maryland," 11, 34; Force's Hist. Tracts, ii.; Chalmers' Annals, 221.

[223:A]Stith's Hist. of Va., 199.

[223:B]Properly Bernard: see Hening, i. 408.

[223:C]Hening, i. 372.

[224:A]Gloucester and Lancaster Counties are now named for the first time; when or how they were formed, does not appear. Sir William Berkley was of Gloucestershire, England. The name of Warrasqueake was changed to Isle of Wight in 1637, and first represented in 1642. In that year Charles River was changed to York, and Warwick River to Warwick. The boundaries of Upper and Lower Norfolk were fixed in 1642; and Upper Norfolk was changed to Nansimum (afterwards Nansemond) in 1646. Northumberland is first mentioned in 1645; Westmoreland in 1653; Surry, Gloucester, and Lancaster in 1652. New Kent was first represented in 1654, being taken from the upper part of York County. (McSherry's Hist. of Maryland.)

[224:B]Force's Hist. Tracts, iii.

[225:A]Burk, ii. 97

[225:B]Virginia's Cure, p. 19, in Force's Hist. Tracts, iii.

[226:A]Called Moratuck or Moratoc above the falls, and Roanoke below. Roanoke signifies "shell:" Roanoke and Wampumpeake were terms for Indian shell-money.

[228:A]Anderson's Hist. of Col. Church, ii. 506. The letter is preserved in Thurloe's State Papers, xi. 273.

[229:A]"Virginia and Maryland," Force's Hist. Tracts, ii.

[229:B]"Leah and Rachel," Force's Hist. Tracts, iii.; Chalmer's Annals, 222.

[230:A]White's Relation, 44, in Force's Hist. Tracts, iv.

[230:B]Milton's Prose Works, ii. 346.

[231:A]Carlyle's Cromwell, ii. 182.

source: The History of the Colony and Ancient Dominio of Virginia by Charles Campbell