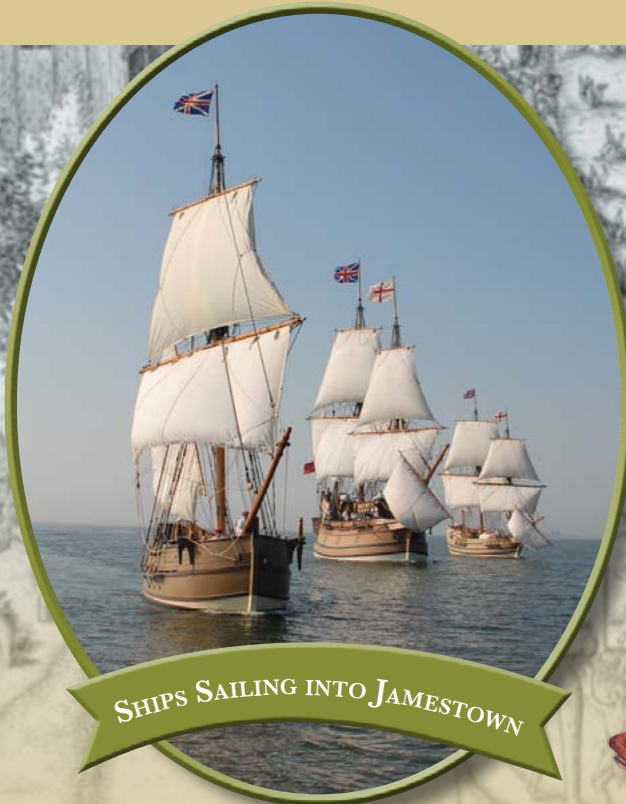


# Jamestown

## Hangs in the Balance



SHIPS SAILING INTO JAMESTOWN



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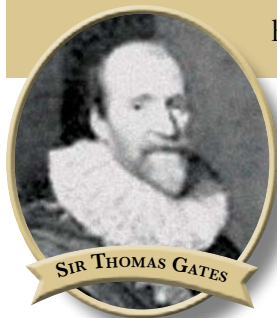
*Re-creations of the three ships that first landed at Jamestown in 1607, Discovery, Susan Constant and Godspeed, can now be boarded by visitors to Jamestown Settlement, above.*

# Jamestown Hangs in the Balance

BY JAMES HORN

AMERICAN HERITAGE | WINTER 2010 | VOL. 59 | ISSUE 4

<http://www.americanheritage.com/content/jamestown-hangs-balance>



SIR THOMAS GATES

**ARRIVING AT THE** English colony of Jamestown in late May 1610, Sir Thomas Gates was appalled by what he discovered. The fort's palisades had

been torn down, the church ruined, and empty houses "rent up and burnt." Only 60 or so colonists remained alive of the more than 200 who had crowded into the fort the previous fall, and these were "Lamentable to behold." Those able to raise themselves from their beds to meet Gates and his men "Looked Like Anatomies" [skeletons]. They cried out, "We are starved We are starved." Yet Gates could do little to relieve them.

Jamestown, established in May 1607, had not prospered. By the end of 1608 a combination of dissension among the colony's leaders, Indian attacks, and food shortages had left it in true disarray. Hearing this, its sponsor, the Virginia Company of London, decided to put the colony on a completely new footing and launched a national appeal for support. Securing Virginia, the company argued, was the first step by which the English could take possession of North America, bring Protestantism to the Indians, and produce valuable commodities for sale at home and abroad.

In June 1609 a fleet commanded by Gates had set out from Plymouth, England, carrying 500 settlers, food, arms, and equipment to Jamestown, only to meet with disaster on July 24—St. James's Day—when a mighty hurricane burst upon the fleet

*Relations between the Jamestown colonists and the neighboring Algonquin Indians, one of whom was painted by an early colonist, left, soured and then grew violent.*



**Based on their excavations, archaeologists created an interpretation of Jamestown's appearance, above. The few starving colonists that survived abandoned the palisaded fort on June 7, 1610, only to run into relief ships just 12 miles downriver.**

little more than a week from its destination and scattered it upon the winds. Gates and most of the colony's leaders were aboard the flagship *Sea Venture*, which was wrecked upon the reefs surrounding Bermuda. One hundred fifty passengers scrambled ashore, thankful for their miraculous salvation, but had to spend nearly 10 months on the island before they were able to complete the construction of two small ships, the *Deliverance* and the *Patience*, and make their way to their original objective.

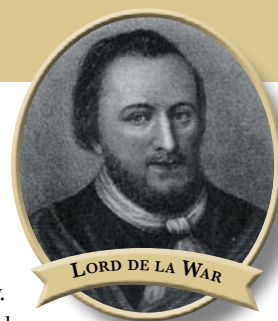
While Gates and his men rebuilt their boats, a number of events conspired to make Jamestown's existence even more perilous. In mid-July 1610 a small Spanish ship sent to reconnoiter from the garrison at St. Augustine, Florida, entered the Chesapeake Bay. While the ship got no farther than the mouth of the James River before being turned back by a larger English vessel, the Spanish now knew where the English were settled. It could only be a matter of time, the English feared, before a Spanish fleet was dispatched against them from bases in the West Indies.

Later that fall the Powhatan Indians launched a full-scale war against them. Hundreds of English were killed along the James River Valley. Jamestown was besieged for six months. The colony disintegrated.

Horrified at the suffering of the colonists he found, Gates decided there was no option but to abandon the colony. His own provisions

# Jamestown Hangs in the Balance

— CONTINUED —



were running out, and there was no hope of getting any food from the Powhatan or any means of taking fish from the rivers in sufficient quantities to sustain the colony.

To the great joy of the ragged survivors, who wanted nothing more than to return to England, he announced his decision to abandon Jamestown. Discharging a salute of small shot by way of farewell, the colonists embarked at midday on June 7, 1610, heading for the mouth of the Chesapeake Bay and the Atlantic. Seemingly, the Jamestown colony was at an end.

But an extraordinary reversal awaited them. The departing flotilla had barely dropped a dozen miles downriver before, as they were waiting for the tide to turn, they espied a boat making its way upriver. It proved to be an advance party of a relief expedition led by the colony's new governor, Lord De La Warr, which had just entered the bay with three ships and 150 colonists. To the utter dismay of Gates's men, who must have wished that they had burnt their fort down before leaving, Gates was ordered to return to Jamestown forthwith. From collapse and abandonment, the colony now passed to some 375 settlers and a renewed leadership, all adequately provisioned.

De La Warr's timely arrival did not bring about an immediate improvement in the colony's fortunes, however. The next four years would still be hard going, as the Virginia Company strove to raise resources for the venture and the colonists struggled to extend their settlements in the face of fierce resistance from the Powhatan. But never again would the colony come so close to being abandoned.

In the long term, the survival of Jamestown profoundly influenced the future of America. From its uncertain beginnings, Virginia emerged as the richest and most populous of the British mainland colonies, the first transatlantic site of an empire that would carry English language, laws, institutions, and the Protestant Church across the globe. Representative government, established at Jamestown in 1619, would blossom into a vibrant political culture and spread throughout the British colonies, leading in time to a new republican faith that would find its fulfillment in the founding of the United States. ❁



Depiction of the arrival of De La Warr at Jamestown, top.

The Jamestown colony sits on an island in the James River in tidewater Virginia, a location that the colonists chose for its strategic defensive position against attacks by local Powhatan Indians and waterborne European marauders.



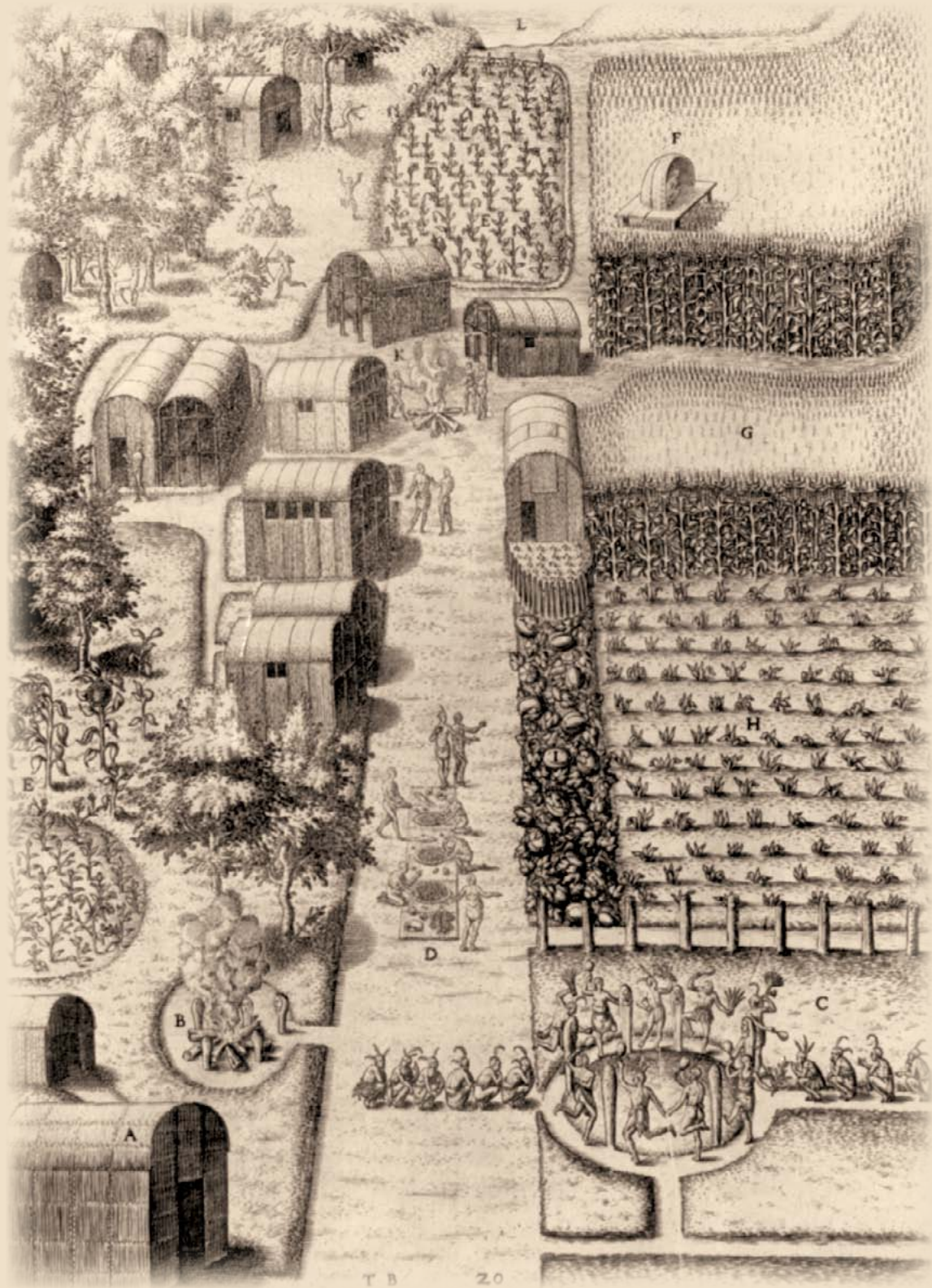
# Jamestown Hangs in the Balance

IMAGE

## VILLAGE OF SECOTAN

ENGRAVING BY THEODOR DE BRY, 1619

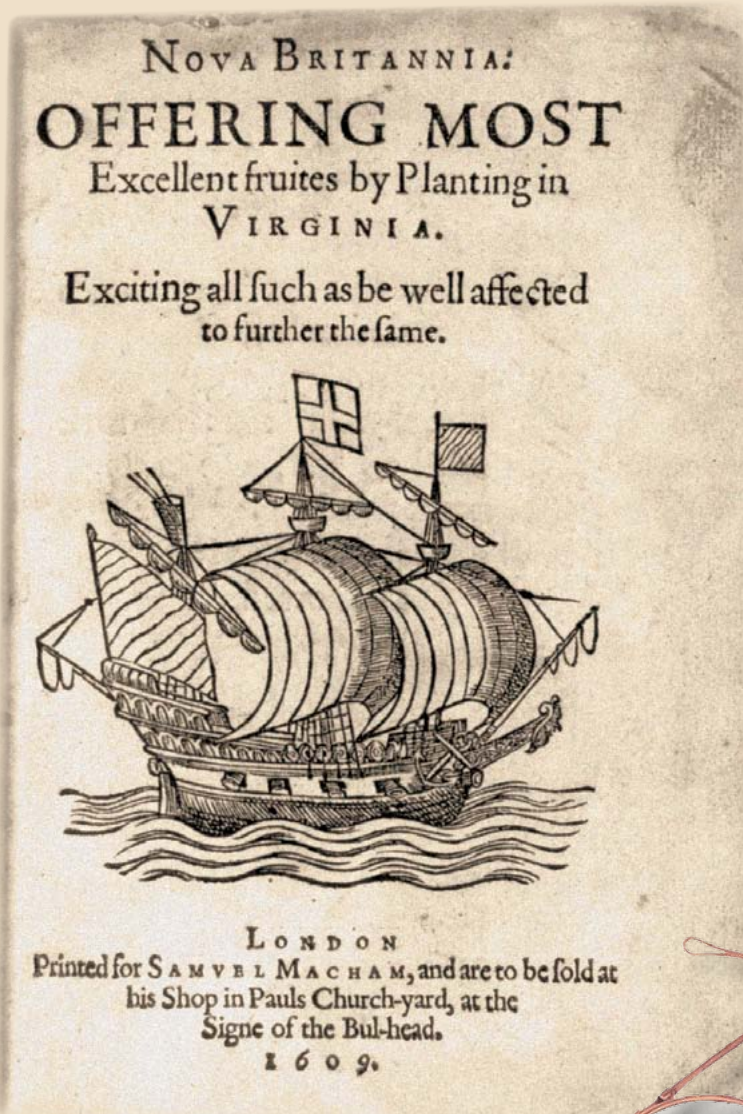
<http://www.loc.gov/pictures/resource/cph.3b00423/>



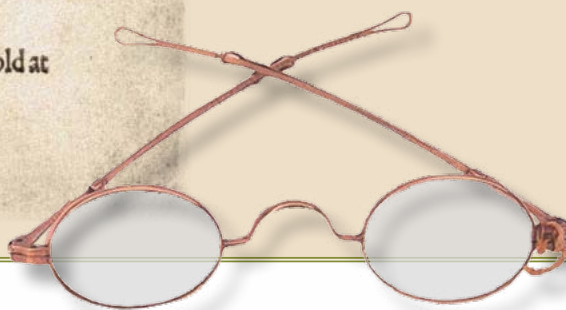
# Jamestown Hangs in the Balance

IMAGE

OFFERING MOST EXCELLENT FRUITS BY PLANTING IN VIRGINIA  
TITLE PAGE OF NOVA BRITANNIA | ILLUSTRATED WITH SAILING SHIP, 1609  
<http://www.loc.gov/pictures/item/2006683500/>



*NOVA BRITANNIA* is a piece of the purest propaganda, a pamphlete representing the finest in seventeenth-century marketing techniques. It's author is assumed to be one Robert Johnson, acting as a one-man public relations department for the Virginia Company, and its purpose was to recruit new investors. In addition to describing the natural bounty to be found in Virginia (so what if there is no gold?), and dismissed the reports of famine and disease that had already crossed the Atlantic (oh, that was all the colonists' fault), *Nova Britannia* invokes the example of the Elizabeth and her 'sea dogs,' seeking to shame its readers into undertaking or undersigning this patriotic (if more than a little risky) expedition. 🌿



## FROM

**The Jamestown Adventure: Accounts of the Virginia Colony, 1605-1614**

Edited by Ed Southern, page 109, John F. Blair, Publisher, 2004

<http://books.google.com/books?id=MJLVhBt2pRkC&pg=PA109&lpg=PA109&dq=nova+britannia+offering+most+excellent+fruits&source=bl&ots=GJ-clP9GeZ&sig=-4G9u93BLXhXElKe4COSs5iWdfQ&hl=en&sa=X&ei=pR3LUZWTG8rc4AO784D4Aw&ved=0CF4Q6AEwBg#v=onepage&q=nova%20britannia%20offering%20most%20excellent%20fruits&f=false>

# Jamestown Hangs in the Balance

DOCUMENT

## A TRUE DECLARATION OF THE ESTATE IN VIRGINIA

<http://www.loc.gov/teachers/classroommaterials/presentationsandactivities/presentations/timeline/colonial/jamestown/starving.html>

The ground of all those miseries, was the permissiue prouidence of God, who, in the fore-mentioned violent storme, separated the head from the bodie, all the vitall powers of regiment being exiled with Sir Thomas Gates in those infortunate (yet fortunate) Ilands [Bermuda]. The broken remainder of those supplies made a greater shipwrack in the continent of Virginia, by the tempest of dissention: euery man ouervaluing his own worth, would be a Commander: euery man vnderprising an others value, denied to be commanded. . . . how much more easily might ambitious discord teare in peeces an infant Colony, where no eminent and respected magistrats had authoritie to punish presumptuous disobedience. . . .

The next fountaine of woes was secure negligence, and improuidence, when euery man sharked for his present bootie, but was altogether carelesse of succeeding penurie. Now, I demand whether Sicilia, or Sardinia (sometimes the barnes of Rome) could hope for increase without manuring? A Colony is therefore denominated, because they should be Coloni, the tillers of the earth, and stewards of fertilitie: our mutinous loiterers would not sow with prouidence, and therefore they reaped the fruits of too deare-bought repentance. An incredible example of their idlenes, is the report of Sir Thomas Gates, who affirmeth, that after his first comming thither, he hath seen some of them eat their fish raw, rather than they would go a stones cast to fetch wood and dresse it. *Dij laboribus omnia vendunt, God sels vs all things for our labour, when Adam himselfe might not liue in paridice without dressing the garden.*

Vnto idlennesse, you may ioynre treasons, wrought by those unhallowed creatures that forsooke the Colony, and exposed their desolate brethren to extreame miserie. You shall know that 28. or 30. of the companie, were appointed (in the Ship called the Swallow) to truck for Corne with the Indians, and hauing obtained a great quantitie by trading, the most seditious of them, conspired together, persuaded some, & enforced others, to this barbarous proiect. They stole away the Ship, they made a league amongst themselues to be professed pirates, with dreames of mountaines of gold, and happy robberies: thus at one instant, they wronged the hopes, and subuerted the cares of the Colony, who depending vpon their returne, fore-slowed to looke out for further prouision: they created the Indians our implacable enemies by some violence



NATIONAL PARK SERVICE, COLONIAL NATIONAL HISTORICAL PARK

they had offered: they carried away the best Ship (which should haue been a refuge, in extremities:) they weakned our forces, by subtraction of their armes, and succours. These are that scum of men that fayling in their piracy, that beeing pinched with famine and penurie, after their wilde rouing vpon the Sea, when all their lawlesse hopes failed, some remained with other pirates, they met vpon the Sea, the others resolued to return for England, bound themselues by mutuall oath, to agree all in one report, to discredit the land, to deplore the famyne, and to protest that this their comming awaie, proceeded from desperate necessitie: These are they, that roared out the tragicall historie of the man eating of his dead wife in Virginia; when the master of this Ship willingly confessed before 40 witnesses, that at their comming awaie, they left three moneths victuals, and all the cattell liuing in the Fort: sometimes they reported that they saw this horrible action, sometimes that Captaine Dauies sayd so, sometimes that one Beadle the Lieutenant of Captaine Dauies did relate it, varying this report into diuersitie of false colours, which hold no likenesse and proportion: But to cleare all doubts, Sir Thomas Gates thus relateth the tragedie.

There was one of the companie who mortally hated his wife, and therefore secretly killed her, then cut her in pieces and hid her in diuers parts of his house: when the woman was missing, the man suspected, his house searched, and parts of her mangled body were discouered, to excuse himselfe he

*Sidney King's painting of Jamestown's Burial of the Dead, top.*

# Jamestown Hangs in the Balance

DOCUMENT

A TRUE DECLARATION OF THE ESTATE IN VIRGINIA

— CONTINUED —

said that his wife died, that he hid her to satisfie his hunger, and that he fed daily vpon her. Vpon this, his house was againe searched, where they found a good quantitie of meale, oatemeale, beanes and pease. Hee therevpon was arraigned, confessed the murder, and was burned for his horrible villany.

Now shall the scandalous reports of a viperous generation, preponderate the testimonies of so worthie leaders? shall their venomous tongues, blast the reputation of an auncient & worthy Peere, who vpon the ocular certainty of future blessings, hath protested in his Letters, that he will sacrifice himselfe for his Countrie in this seruice, if he may be seconded; and if the company doe giue it ouer he will yet lay all his fortunes vpon the prosecution of the plantation? shall sworne lyes, and combined oathes, so far priuiledge trechery, and piracy as to rob vs of our hopes, & to quell our noble resolutions? God forbid: . . . a lyers confidence, is but a blazing diffidence.

Vnto Treasons, you may ioyne couetousnesse in the Mariners, who for their priuate lucre partly imbezled the prouisions, partly preuented our trade with the Indians, making the matches in the night, and forestalling our market in the day: whereby the Virginians were glutted with our trifles, and inhaunced the prices of their Corne and Victuall. That Copper which before would haue prouided a bushell, would not now obtaine so much as a pottle: . . . the consequent of sordid gaine is vntimely wretchednesse.

Ioyne vnto these an other euill: there is great store of Fish in the riuer, especially of Sturgeon; but our men prouided no more of them, then for present necessitie, not barrelling vp any store against that season the Sturgeon returned to the sea. And not to dissemble their folly, they suffered fourteene nets (which was all they had) to rot and spoile, which by orderly drying and mending might haue been preserued: but being lost, all help of fishing perished. Quanto maiora timentur dispendia, tanto promptior debet esse cautela, fundamentall losses that cannot be repealed, ought with the greatest caution to be preuented.

The state of the Colony, by these accidents began to find a sensible declyning: which Powhatan (as a greedy Vulture) obseruing, and boyling with desire of reuenge, he inuited Captaine Ratcliffe, and about thirty others to trade for Corne, and under the colour of fairest friendship, he brought them within the compasse of his ambush, whereby they were cruelly murdered, and massacred. For vpon confidence of

his fidelitie, they went one and one into seuerall houses, which caused their seuerall destructions, when if but any sixe had remained together, they would haue been a bulwarke for the generall preseruacion. After this, Powhatan in the night cut off some of our boats, he draue away all the Deere into the farther part of the Countrie, hee and his people destroyed our Hogs, (to the number of about sixe hundred) he sent none of his Indians to trade with vs, but laied secret ambushes in the woods, that if one or two dropped out of the fort alone, they were indaungered.

Cast vp this reckoning together: want of gouernment, store of idlenesse, their expectations frustrated by the Traitors, their market spoyled by the Mariners, our nets broken, the deere chased, our boats lost, our hogs killed, our trade with the Indians forbidden, some of our men fled, some murdered, and most by drinking of the brackish water of Iames fort weakened, and indaungered, famyne and sicknesse by all these meanes increased here at home the monies came in so slowly, that the Lo. Laware could not be dispatched, till the Colony was worne and spent with difficulties: Aboue all, hauing neither Ruler, nor Preacher, they neither feared God nor man, which prouoked the wrath of the Lord of Hosts, and pulled downe his iudgements vpon them. Discite iustitiam moniti. Now, (whether it were that God in mercie to vs would weede out these ranke hemlockes; or whether in iudgement to them he would scourge their impieties; or whether in wisdom he would trie our patience, Vt magna magnè desideremus, that wee may beg great blessings earnestly) our hope is that our Sunne shall not set in a cloude, since this violent storme is dispersed, since all necessarie things are prouided, an absolute and powerfull gouernment is settled, as by this insuing relation shall be described. ❀



*Sidney King's painting of Jamestown's Starving Time, night.*

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# Jamestown Hangs in the Balance

DOCUMENT

LETTER FROM AN INDENTURED SERVANT TO HIS PARENTS, 1623

RICHARD FRETHERNE

<http://teachingamericanhistory.org/library/document/letter-from-an-indentured-servant-to-his-parents/>

*This Endenture With Prothall...*

LOVING AND KIND FATHER AND MOTHER:

My most humble duty remembered to you, hoping in god of your good health, as I myself am at the making hereof. This is to let you understand that I you child am in a most heavy case by reason of the country, [which] is such that it causeth much sickness, [such] as the scurvy and the bloody flux and diverse other diseases, which maketh the body very poor and weak. And when we are sick there is nothing to comfort us; for since I came out of the ship I never ate anything but peas, and loblollie (that is, water gruel). As for deer or venison I never saw any since I came into this land. There is indeed some fowl, but we are not allowed to go and get it, but must work hard both early and late for a mess of water gruel and a mouthful of bread and beef. A mouthful of bread for a penny loaf must serve for four men which is most pitiful. [You would be grieved] if you did know as much as I [do], when people cry out day and night— Oh! That they were in England without their limbs and would not care to lose any limb to be in England again, yea, though they beg from door to door. For we live in fear of the enemy every hour, yet we have had a combat with them...and we took two alive and made slaves of them. But it was by policy, for we are in great danger; for our plantation is very weak by reason of the death and sickness of our company. For we came but twenty for the merchants, and they are half dead just; and we look every hour when two more should go. Yet there came some four other men yet to live with us, of which there is but one alive; and our Lieutenant is dead, and [also] his father and his brother. And there was some five or six of the last year's twenty, of which there is but three left, so that we are fain to get other men to plant with us; and yet we are but 32 to fight against 3000 if they should come. And the nighest help that we have is ten mile of us, and when the rogues overcame this place [the] last [time] they slew 80 persons. How then





# Jamestown Hangs in the Balance

DOCUMENT

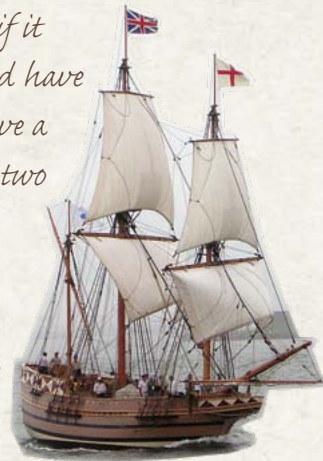
LETTER FROM AN INDENTURED SERVANT TO HIS PARENTS, 1623

— CONTINUED —

*shall we do, for we lie even in their teeth? They may easily take us, but [for the fact] that God is merciful and can save with few as well as with many, as he showed to Gilead. And like Gilead's soldiers, if they lapped water, we drink water which is but weak.*

*And I have nothing to comfort me, nor is there nothing to be gotten here but sickness and death, except [in the event] that one had money to lay out in some things for profit. But I have nothing at all no, not a shirt to my back but two rags (2), nor clothes but one poor suit, nor but one pair of shoes, but one pair of stockings, but one cap, [and] but two bands [collars]. My cloak is stolen by one of my fellows, and to his dying hour [he] would not tell me what he did with it; but some of my fellows saw him have butter and beef out of a ship, which my cloak, I doubt [not], paid for. So that I have not a penny, nor a penny worth, to help me too either spice or sugar or strong waters, without the which one cannot live here. For as strong beer in England doth fatten and strengthen them, so water here doth wash and weaken these here [and] only keeps [their] life and soul together. But I am not half [of] a quarter so strong as I was in England, and all is for want of victuals; for I do protest unto you that I have eaten more in [one] day at home than I have allowed me here for a week. You have given more than my day's allowance to a beggar at the door; and if Mr. Jackson had not relieved me, I should be in a poor case. But he like a father and she like a loving mother doth still help me.*

*For when we go to Jamestown (that is 10 miles of us) there lie all the ships that come to land, and there they must deliver their goods. And when we went up to town [we would go], as it may be, on Monday at noon, and come there by night, [and] then load the next day by noon, and go home in the afternoon, and unload, and then away again in the night, and [we would] be up about midnight. Then if it rained or blowed never so hard, we must lie in the boat on the water and have nothing but a little bread. For when we go into the boat we [would] have a loaf allowed to two men, and it is all [we would get] if we stayed there two days, which is hard; and [we] must lie all that while in the boat. But that Goodman Jackson pitied me and made me a cabin to lie in always when I [would] come up, and he would give me some poor jacks [fish] [to take] home with me, which comforted me more than peas or water*



# Jamestown Hangs in the Balance

DOCUMENT

LETTER FROM AN INDENTURED SERVANT TO HIS PARENTS, 1623

— CONTINUED —

*gruel. Oh, they be very godly folks, and love me very well, and will do anything for me. And he much marvelled that you would send me a servant to the Company; he saith I had been better knocked on the head. And indeed so I find it now, to my great grief and misery; and [I] saith that if you love me you will redeem me suddenly, for which I do entreat and beg. And if you cannot get the merchants to redeem me for some little money, then for God's sake get a gathering or entreat some good folks to lay out some little sum of money in meal and cheese and butter and beef. Any eating meat will yield great profit. Oil and vinegar is very good; but, father, there is great loss in leaking. But for God's sake send beef and cheese and butter, or the more of one sort and none of another. But if you send cheese, it must be very old cheese; and at the cheesemonger's you may buy very food cheese for twopence farthing or halfpenny, that will be liked very well. But if you send cheese, you must have a care how you pack it in barrels; and you must put cooper's chips between every cheese, or else the heat of the hold will rot them.*

*And look whatsoever you send me be in never so much look, what[ever] I make of it, I will deal truly with you. I will send it over and beg the profit to redeem me; and if I die before it come, I have entreated Goodman Jackson to send you the worth of it, who hath promised he will. If you send, you must direct your letters to Goodman Jackson, at Jamestown, a gunsmith. (You must set down his freight, because there be more of his name there.) Good father, do not forget me, but have mercy and pity my miserable case. I know if you did but see me, you would weep to see me; for I have but one suit. (But [though] it is a strange one, it is very well guarded.) Wherefore, for God's sake, pity me. I pray you to remember my love to all my friends and kindred. I hope all my brothers and sisters are in good health, and as for my part I have set down my resolution that certainly will be; that is, that the answer of this letter will be life or death to me. Therefore, good father, send as soon as you can; and if you send me any thing let this be the mark.*

ROT

RICHARD FRETHERNE,

MARTIN'S HUNDRED 



# Jamestown Hangs in the Balance

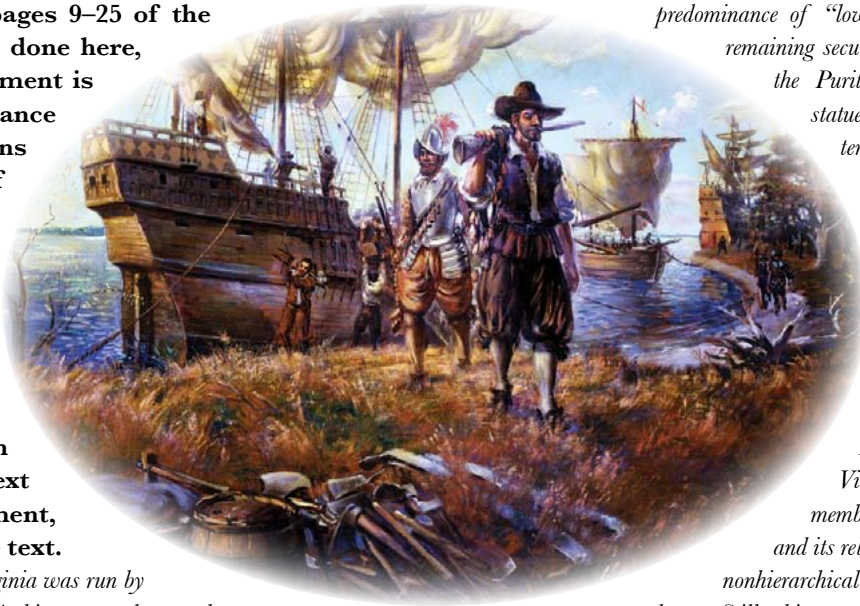
## ARTICLES, LAWS, AND ORDERS, DIVINE, POLITIC, AND MARTIAL FOR THE COLONY IN VIRGINIA, 1610-1611

[http://oll.libertyfund.org/?option=com\\_staticxt&staticfile=show.php%3Ftitle=694&chapter=102705&layout=html&Itemid=27](http://oll.libertyfund.org/?option=com_staticxt&staticfile=show.php%3Ftitle=694&chapter=102705&layout=html&Itemid=27)

Text taken from D. H. Flaherty, ed., *Laws Divine, Moral, and Martial* Compiled by William Strachey (Charlottesville: The University Press of Virginia, 1969), 9–25. Flaherty retains the original spelling and punctuation, except to transpose i and j, and u and v, respectively, to correspond to modern usage. The usual practice is to reproduce only pages 9–25 of the Strachey version, as is done here, but the complete document is 101 pages long. The balance of the document contains a detailed discussion of the colony's martial laws and specific instructions from the marshal to every rank concerning duties and bearing. The Flaherty volume contains a discussion of the historical context surrounding this document, as well as the complete text.

*Under its initial charter, Virginia was run by a cumbersome double council. A thirteen-member royal council in London appointed a thirteen-member council in Virginia to carry out its will. The system did not work, and the Virginia governor had to become a virtual dictator to maintain order. The following document was issued under martial law but still reflects the values that were generally accepted by the colonists. It is equivalent to a code of law and may be fruitfully compared*

*with other codes of law in this collection, such as documents 2, 20, 22, 26, 30, 39, and 52. Religion plays an important role in this Virginia document, as it did in codes elsewhere, and the moral content looks similar to that of New England codes. Virginia, however, was not a Puritan colony but Church of England country—Anglicanism was for a long while the colony's established church. The similarities with the Puritans may have been due to the predominance of "low church" members who, while remaining securely in the fold, shared many of the Puritan inclinations against pomp, statues, and other vestiges of what was termed covert popery. The extent of this low church influence was revealed when in the 1690s the king proposed sending an Anglican bishop to Virginia, and every pastor in the colony signed a letter asking that the bishop not be sent. Despite its determined attempt to re-create English country life in America, Virginia society did not include members of the English aristocracy, and its religious inclinations were similarly nonhierarchical compared with the English at home. Still, this was not New England Puritanism, which is reflected in the large number of capital crimes typical of English common law at the time rather than the restricted list of capital crimes listed in, for example, the Massachusetts Body of Liberties [22]. Many laws are aimed at preserving the extremely limited goods in the colony, which reflects the desperate situation faced in the early years of colonization.*



Whereas his Majestie like himselfe a most zealous Prince hath in his owne Realmes a principall care of true Religion, and reverence to God, and hath alwaies strictly commaunded his Generals and Governours, with all his forces wheresoever, to let their waies be like his ends for the glorie of God.

And forasmuch as no good service can be performed, or warre well managed, where militarie discipline is not observed, and militarie discipline cannot be kept, where the rules or chiefe parts thereof, be not certainly set downe, and generally knowne, I have (with the advise and

counsell of Sir Thomas Gates Knight, Lieutenant Generall) adhered unto the lawes divine, and orders politique, and martiall of his Lordship (the same exemplified) an addition of such others, as I have found either the necessitie of the present State of the Colonie to require, or the infancie, and weaknesses of the body thereof, as yet able to digest, and doe now publish them to all persons in the Colonie, that they may as well take knowledge of the Lawes themselves, as of the penaltie and punishment, which without partialitie shall be inflicted upon the breakers of the same.

**1** First since we owe our highest and supreme duty, our greatest, and all our allegiance to him, from whom all power and authoritie is derived, and flowes as from the first, and onely fountaine, and being especiall souldiers emprest in this sacred cause, we must alone expect our successe from him, who is only the blesser of all good attempts, the King of kings, the commaunder of commaunders, and Lord of Hostes, I do strictly commaund and charge all Captaines and Officers, of

*Sidney King's painting of Colonists landing at Jamestown, center.*

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what qualitie or nature soever, whether commanders in the field, or in towne, or townes, forts or fortresses, to have a care that the Almighty God bee duly and daily served, and that they call upon their people to heare Sermons, as that also they diligently frequent Morning and Evening praier themselves by their owne exemplar and daily life, and duties herein, encouraging others thereunto, and that such, who shall often and wilfully absent themselves, be duly punished according to the martiall law in that case provided.

**2** That no man speake impiously or maliciously, against the holy and blessed Trinitie, or any of the three persons, that is to say, against God the Father, God the Son, and God the holy Ghost, or against the knowne Articles of the Christian faith, upon paine of death.

**3** That no man blaspheme Gods holy name upon paine of death, or use unlawful oathes, taking the name of God in vaine, curse, or banne,<sup>1</sup>

upon paine of severe punishment for the first offence so committed, and for the second, to have a bodkin<sup>2</sup> thrust through his tongue, and if he continues the blaspheming of Gods holy name, for the third time so offending, he shall be brought to a martiall court, and there receive censure of death for his offence.

**4** No man shall use any traiterous words against his Majesties Person, or royall authority upon paine of death.

**5** No man shall speake any word, or do any act, which may tend to the derision, or despight<sup>3</sup> of Gods holy word upon paine of death: Nor shall any man unworthily demeane himself unto any Preacher, or Minister of the same, but generally hold them in all reverent regard, and dutiful intreatie,<sup>4</sup> otherwise he the offender shall

openly be whipt three times, and ask publike forgiveness in the assembly of the congregation three several Saboth Daies.

**6** Everie man and woman duly twice a day upon the first towling of the Bell shall upon the working daies repaire unto the Church, to hear divine Service upon pain of losing his or her dayes allowance for the first omission, for the second to be whipt, and for the third to be condemned to the Gallies for six Moneths. Likewise no man or woman shall dare to violate or breake the Sabboth by any gaming, publique or private abroad, or at home, but duly sanctifie and observe the same, both himselfe and his familie, by preparing themselves at home with private prayer, that they may be the better fitted for the publique, according to the commandements of God, and the orders

of our Church, as also every man and woman shall repaire in the morning to the divine service, and Sermons preached upon the Sabboth day, and in the afternoon to divine service, and

Catechising, upon paine for the first fault to lose their provision, and allowance for the whole weeke following, for the second to lose the said allowance, and also to be whipt, and for the third to suffer death.

**7** All Preachers or Ministers within this our Colonie, or Colonies, shall in the Forts, where they are resident, after divine Service, duly preach every Sabbath day in the forenoone, and Catechise in the afternoone, and weekly say the divine service, twice every day, and preach every Wednesday, likewise every Minister where he is resident, within the same Fort, or Fortesse, Townes or Towne, shall chuse unto him, foure of the most religious and better disposed as well to informe of the abuses and neglects of the people in their duties, and service to God, as also to the due reparation, and keeping

of the Church handsome, and fitted with all reverent observances thereunto belonging: likewise every Minister shall keepe a faithful and true Record, or Church Booke of all Christnings, Marriages, and deaths of such our people, as shall happen within their Fort, or Fortresses, Townes or Towne at any time, upon the burthen of a neglectfull conscience, and upon paine of losing their Entertainment.<sup>5</sup>

**8** He that upon pretended malice, shall murther or take away the life of any man, shall bee punished with death.

**9** No man shall commit the horrible, and detestable sins of Sodomie upon pain of death; and he or she that can be lawfully convict of Adultery shall be punished with death. No man shall ravish or force any woman, maid or Indian, or other, upon pain of death, and know that he or shee, that shall commit fornication, and evident prooffe made thereof, for their first fault shall be whipt, for the second they shall be whipt, and for their third they shall be whipt three times a weeke for one month, and aske publike forgiveness in the Assembly of the Congregation.

**10** No man shall bee found guilty of Sacriledge, which is a Trespasse as well committed in violating the abusing any sacred ministry, duty or office of the Church, irreverently, or prophanely, as by beeing a Church robber, to filch, steale or carry away anything out of the Church appertaining thereunto, or unto any holy, and consecrated place, to the divine Service of God, which no man should doe upon paine of death: likewise he that shall rob the store of any commodities therein, of what quality soever, whether provisions of victuals, or of arms, Trucking stuffe,<sup>6</sup> Apparell, Linnen, or Wollen, Hose or Shoes, Hats or Caps, Instruments or Tooles of Steele, Iron, etc. or shall rob from his fellow souldier, or neighbor, any thing that is his, victuals, apparell, household stuffe, toole, or what necessary else soever, by water or land, out of boate, house, or knapsack, shall bee punished with death.

He that upon pretended malice, shall murther or take away the life of any man, shall be punished with death.

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**11** Hee that shall take an oath untruly, or beare false witness in any cause, or against any man whatsoever, shall be punished with death.

**12** No manner of person whatsoever, shall dare to detract, slander, calumniate, or utter unseemly, and unfitting speeches, either against his Majesties Honourable Councill for this Colony, resident in England, or against the Committees, Assistants unto the said Councill, or against the zealous endeavors, and intentions of the whole body of Adventurers for this pious and Christian Plantation, or against any publique book, or bookes, which by their mature advise, and grave wisdomes, shall be thought fit, to be set forth and published, for the advancement of the good of this Colony, and the felicity thereof, upon paine for the first time so offending, to be whipt three severall times, and upon his knees to acknowledge his offence and to aske forgiveness upon the Saboth day in the assembly of the congregation, and for the second time so offending to be condemned to the Galley for three yeares, and for the third time so offending to be punished with death.

**13** No manner of person whatsoever, contrarie to the word of God (which tyes every particular and private man, for conscience sake to obedience, and duty of the Magistrate, and such as shall be placed in authoritie over them, shall detract, slander, calumniate, murmur, mutenie, resist, disobey, or neglect the commaundments, either of the Lord Governour, and Captaine Generalle, the Lieutenant Generall, the Martiall, the Councill, or any authorised Captaine, Commaunder or publike Officer, upon paine for the first time so offending to be whipt three severall times, and upon his knees to acknowledge his offence, with asking forgiveness upon the Saboth day in the assembly of the congregation, and for the second time so offending to be condemned to the Gally for three yeares: and for the third time so offending to be punished with death.

**14** No man shall give any disgraceful words, or commit any act to the disgrace of any person in this Colonie, or any part thereof, upon paine of being tied head and feete together, upon the guard everie night for the space of one moneth, besides to bee publicly disgraced himselfe, and be made incapable ever after to possesse any place, or execute any office in this employment.

**15** No man of what condition soever shall barter, trucke, or trade with the Indians, except he be thereunto appointed by lawful authority upon paine of death.

**16** No man shall rifle or dispoile, by force or violence, take away any thing from any Indian coming to trade, or otherwise, upon paine of death.

**17** No Cape Marchant,<sup>7</sup> or Provant Master, 8 or Muniton Master, or Truck Master, or keeper of any store, shall at any time imbezell, sell, or give away any thing under his Charge to any Favorite, of his, more than unto any other, whome necessity shall require in that case to have extraordinary allowance of provisions, nor shall they give a false accompt unto the Lord Governour, and Captaine Generall, unto the Lieutenant Generall, unto the Marshall, or any deputed Governor, at any time having the commaund of the Colony, with intent to defraud the said Colony, upon paine of death.

**18** No man shall imbezel or take away the goods of any man that dyeth, or is employed from the town or Fort where he dwelleth in any other occasioned remote service, for the time, upon pain of whipping three severall times, and restitution of the said goods againe, and in danger of incurring the penalty of the tenth Article, if so it may come under the construction of theft. And if any man die and make a will, his goods

shall be accordingly disposed; if hee die intestate, his goods shall be put into the store, and being valued by two sufficient praisors, his next of kinne (according to the common Lawes of England), shall from the Company, Committees, or adventurers, receive due satisfaction in moneys, according as they were praised, by which means the Colonie shall be better furnished; and the goods more carefully preserved, for the right heire, and the right heire receive content for the same in England.

**19** There shall be no Capttain, Master, Marriner, saylor, or any else of what quality or condition soever, belonging to any Ship or Ships, at this time remaining, or which shall hereafter arrive within this our River, bargaine, buy, truck, or trade with any one member in this Colony, man, woman, or child, for any toole or instrument of

iron, steel, or what else, whether appertaining to Smith Carpenter, Joyner, Shipwright, or any manuell occupation, or handicraft man whatsoever, resident within our Colonie, nor shall

they buy or bargaine, for any apparell, linnen, or wollen, householdstuffe, bedde, bedding, sheete towels, napkins, brasse, pewter, or such like, eyther for ready money, or provisions, nor shall they exchange their provisions, of what quality soever, whether Butter, Cheese, Bisket, meal, Oatmele, Aquavite,<sup>9</sup> oyle, Bacon, any kind of Spice, or such like, for any such aforesaid instruments, or tooles, apparell, or householdstuffe, at any time, or so long as they shall here remain, from the date of these presents upon paine of losse of their wages in England, confiscation and forfeiture of such their monies and provisions, and upon peril beside of such corporall punishment as shall be inflicted upon them by verdict and censure of a

Hee that shall take an oath untruly, or beare false witness in any cause, or against any man whatsoever, shall be punished with death.

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martiall Court: Nor shall any officer, souldier, or Trades man, or any else of what sort soever, members of this Colony, dare to sell any such Toole, or instruments, necessary and usefull, for the businesse of the Colonie, or trucke, sell, exchange, or give away his apparell, or household stuffe of what sort soever, unto any such Seaman, either for mony, or any such foresaid provisions, upon paine of 3 times severall whipping, for the one offender, and the other upon perill of incurring censure, whether of disgrace, or addition of such punishment, as shall bee thought fit by a Court martiall.

**20** Whereas sometimes heeretofore the covetous and wide affections of some greedy and ill disposed Seamen, Sayers, and Marriners, laying hold upon the advantage of the present necessity, under which the Colony sometimes suffered, have sold unto our people, provisions of Meale, Oatmeale, Bisket, Butter, Cheese etc., at unreasonable rates, and prises unconscionable: for avoiding the like to bee now put in practise, there shall no Captain, Master, Marriner, or Saylor, or what Officer else belonging to any ship, or shippes, now within our river, or heereafter which shall arrive, shall dare to bargaine, exchange, barter, truck, trade, or sell, upon paine of death, unto any one Landman<sup>10</sup> member of this present Colony, any provisions of what kind soever, above the determined valuations, and prises, set downe and proclaimed, and sent therefore unto each of your severall ships, to bee fixed upon your Maine mast, to the intent that want of due notice, and ignorance in this case, be no excuse, or plea, for any offender herein.

**21** Sithence<sup>11</sup> we are not to bee a little carefull, and our young Cattell, and Breeders may be cherished, that by the preservation, and increase of them, the Colony heere may

receive in due time assured and great benefite, and the adventurers at home may be eased of so great a burthen, by sending unto us yeerely supplies of this kinde, which now heere for a while, carefully attended, may turne their supplies unto us into provisions of other qualities, when of these wee shall be able to subsist our selves, and which wee may in short time, be powerful enough to doe, if we wil according to our owne knowledge of what is good for our selves, forbear to work into our own wants, againe, by over hasty destroying, and devouring the stockes, and authors of so profitable succeeding a Commodity, as increase of Cattell, Kine, Hogges, Goates, Poultrie etc. must of necessity bee granted, in every common mans judgement, to render unto us: Now know thee therefore, these promises carefully considered, that it is our will and pleasure, that every one, of what

No man shall imbezell,  
lose, or willingly breake,  
or fraudulently make away,  
either Spade, Shovell,  
Hatchet, Axe, Mattocke,  
or other toole or instrument  
upon paine of whipping.

quality or condition soever hee bee, in this present Colony, to take due notice of this our Edict, whereby wee do strictly charge and command, that no man shall dare to kill, or destroy any Bull, Cow, Calfe, Mare, Horse, Colt, Goate, Swine, Cocke, Henne, Chicken, Dogge, Turkie, or any tame Cattell, or Poultry, of what condition soever; whether his owne, or appertaining to another man, without leave from the Generall, upon paine of death in the Principall, and in the accessory, burning in the Hand, and losse of his eares, and unto the concealer of the same four and twenty houres of whipping, with addition of further punishment, as shall be thought fitte by the censure, and verdict of a Martiall Court.

**22** There shall no man or woman, Launderer or Launderesse, dare to wash any uncleane Linnen, drive bucks,<sup>12</sup> or throw out the water or sudes of fowle clothes, in the open streete, within the Pallizadoes,<sup>13</sup> or within forty foote of the same, nor rench,<sup>14</sup> and make

cleane, any kettle, pot, or pan, or such like vessell within twenty foote of the olde well, or new pump; nor shall any one aforesaid, within less than a quarter of one mile from the pallizadoes, dare to doe the necessities of nature, since by these unmanly, slothfull, and loathsome immodesties, the whole Fort may bee choaked, and poisoned with ill aires, and so corrupt (as in all reason cannot but much infect the same) and this shall they take notice of, and avoide, upon paine of whipping and further punishment, as shall be thought meete, by the censure of a martiall Court.

**23** No man shall imbezell, lose, or willingly breake, or fraudulently make away, either Spade, Shovell, Hatchet, Axe, Mattocke,<sup>15</sup> or other toole or instrument upon paine of whipping.

**24** Any man that hath any edge toole, either of his owne, or which hath heeretofore beene belonging to the store, see that he bring it instantly to the storehouse, where he shall receive it againe by a particular note, both of the toole, and of his name taken, that such a toole unto him appertaineth, at whose hands, upon any necessary occasion, the said toole may be required, and this shall he do, upon paine of severe punishment.

**25** Every man shall have an especiall and due care, to keepe his house sweete and cleane, as also so much of the streete, as lieth before his door, and especially he shall so provide, and set his bedstead whereon he lieth, that it may stand three foote at least from the ground, as will answeere the contrarie at a martiall Court.

**26** Every tradesman in their severall occupation, trade and function, shall duly and daily attend his worke upon his said trade or occupation, upon perill for his first fault, and negligence therein, to have his entertainment checkt for one moneth, for his second fault three moneth, for his third one yeare, and if he continue still unfaithfull and negligent therein, to be condemned to the Gally for three yeare.

**27** All overseers of workemen, shall be carefull in seeing that performed, which is given them in charge, upon paine of such

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punishment as shall be inflicted upon him by a martiall Court.

**28** No souldier or tradesman, but shall be readie, both in the morning, and in the afternoone, upon the beating of the Drum, to goe out unto his worke, nor shall hee return home, or from his worke, before the Drum beate againe, and the officer appointed for that business, bring him of, upon perill for the first fault to lie upon the Guard head and heeles together all night, for the second time so faulting to be whipt, and for the third time so offending to be condemned to the Gallies for a yeaere.

**29** No man or woman, (upon paine of death) shall runne away from the Colonie, to Powhathan, or any savage Weroance else whatsoever.

**30** He that shall conspire any thing against the person of the Lord Governour, and Captaine Generall, against the Lieutenant Generall, or against the Marshall, or against any publike service commaunded by them, for the dignitie, and advancement of the good of the Colony, shall be punished with death: and he that shall have knowledge of any such pretended act of disloyalty or treason, and shall not reveale the same unto his Captaine, or unto the Governour of that fort or Towne wherein he is, within the space of one houre, shall for the concealing of the same after that time, be not onely held an accessory, but alike culpable as the principall traitor or conspirer, and for the same likewise he shall suffer death.

**31** What man or woman soever, shall rob any garden, publike or private, being set to weed the same, or wilfully pluck up therein any roote, herbe, or flower, to spoile and wast or steale the same, or robbe any vineyard, or gather up the grapes, or steale any eares of the corne growing, whether in the ground belonging to the same fort or towne where he dwelleth, or in any other, shall be punished with death.

**32** Whosoever Seaman, or Landman or what qualitie, or in what place of commaund soever, shall be employed upon any discovery, trade, or fishing voiage into any of the

rivers within the precincts of our Colonie, shall for the safety of those men who are committed to his commaund, stand upon good and carefull guard, for the prevention of any treachery in the Indian, and if they touch upon any shore, they shall be no less circumspect, and warie, with good and carefull guard day and night, putting forth good Centinell, and observing the orders and discipline of watch and ward, and when they have finished the discovery, trade, or fishing, they shall make hast with all speed, with such Barke or Barkes, Pinisse, Gallie, Ship. etc. as they shall have the commaund of, for the same purpose, to James towne againe, not presuming to goe beyond their commission, or to carry any such Barke or Barkes, Gally, Pinnice, Ship. etc. for England or any other countrey in the actual possession of any Christian Prince, upon perill to be held an enemy to this plantation, and traitor thereunto, and accordingly to lie liable unto such censure of punishment (if they arrive in England) as shall be thought fit by the Right Honourable Lords, his Majesties Councell for this Colonie, and if

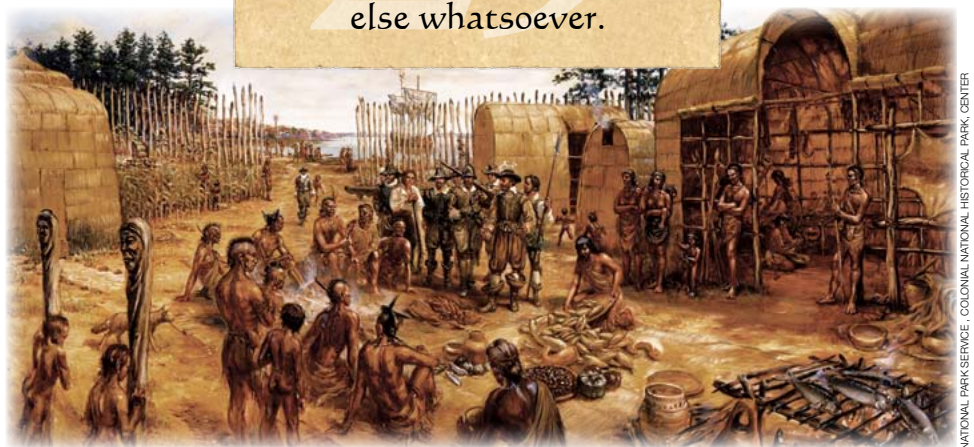
it shall so happen, that he or they shall be prevented, and brought backe hither againe into the Colonie, their trecherous flight to be punished with

death.

**33** There is not one man nor woman in this Colonie now present, or hereafter to arrive, but shall give up an account of his and their faith, and religion, and repaire unto the Minister, that by his conference with them, hee may understand, and gather, whether heretofore they have beene sufficiently instructed, and catechised in the principles and grounds of Religion, whose weaknesse and ignorance herein, the Minister finding, and advising them in all love and charitie, to repaire often unto him, to receive therein a greater measure of knowledge, if they shal refuse so to repaire unto him, and he the Minister give notice thereof unto the Governour, or that chiefe officer of that towne or fort, wherein he or she, the parties so offending shall remaine, the Governour shall cause the offender for his first time of refusall to be whipt, for the second time to be whipt twice, and to acknowledge his fault upon the Saboth day, in the assembly of the congregation, and for the third time to be whipt every day until he heath made the same acknowledgement, and

asked forgiveness for the same, and shall repaire unto the Minister, to be further instructed as aforesaid: and upon the Saboth when the Minister

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Colonie, to Powhathan,  
or any savage Weroance  
else whatsoever.



Sidney King's painting, *Trading with the Indians*, above.

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shall catechise, and of him demaund any question concerning his faith and knowledge, he shall not refuse to make answeere upon the same perill.

**34** What man or woman soever, Launderer or Laundresse appointed to wash the foule linnen of any one labourer or souldier, or any one else as it is their duties so to doe, performing little, or no other service for their allowance out of the store, and daily provisions, and supply of other necessaries unto the Colonie, and shall from the said labourer or souldier, or any one else of what qualitie whatsoever, either take any thing for washing, or withhold or steale from him any such linnen committed to her to wash, or change the same willingly and wittingly, with purpose to give him worse, old and torne linnen for his good, and prooffe shall be made thereof, she shall be whipped for the same, and lie in prison till she make restitution of such linnen, withheld or changed.

**35** No Captaine, Master, or Mariner, of what condition soever, shall depart or carry out of the river, any Ship, Barke, Barge, Gally, Pinnace etc. Roaders<sup>17</sup> belonging to the Colonie, either now therein, or hither arriving, without leave and commission from the Generall or chiefe Commaunder of the Colonie upon paine of death.

**36** No man or woman whatsoever, members of this Colonie, shall sell or give unto any Captaine, Marriner, Master, or Sailer, etc. any commoditie of this countrey, of what quality soever, to be transported out of the Colonie, for his or their owne private uses, upon paine of death.

**37** If any souldier indebted, shall refuse to pay his debts unto his creditor, his creditor shall informe his Captaine, if the Captaine cannot agree the same, the creditor shall

informe the Marshals civill and principall officer, who shall preferre for the creditor a bill of complaint at the Marshals Court, where the creditor shal have Justice.

All such Bakers as are appointed to bake bread, or what else, either for the store to be given out in generall, or for any one in particular, shall not steale nor imbezell, loose, or defraud any man of his due and proper weight and measure, nor use any dishonest and deceitfull tricke to make the bread weight heavier, or make it courser upon purpose to keepe backe any part or measure of the flower or meale committed unto him, nor aske, take, or detainee any one loafe more or lesse for his hire or paines for so baking, since whilst he who delivered unto him such meale or flower, being to attend the businesse of the Colonie, such baker or bakers are imposed upon no other service or

duties, but onely so to bake for such as do worke, and this shall hee take notice of, upon paine for the first time offending herein of losing his eares, and for the second time to be condemned a yeare to the Gallies,

and for the third time offending, to be condemned to the Gallies for three yeares.

All such cookes as are appointed to seeth,<sup>18</sup> bake or dresse any manner of way, flesh, fish, or what else, of what kind soever, either for the generall company, or for any private man, shall not make lesse, or cut away any part or parcel of such flesh, fish, etc. Nor detainee or demaund any party or parcell, as allowance or hire for his so dressing the same, since as aforesaid of the baker, hee or they such Cooke or Cookes, exempted from other publike works abroad, are to attend such seething and dressing of such publike flesh, fish, or other provisions of what kind soever, as their service and duties expected

from them by the Colonie, and this shall they take notice of, upon paine for the first time offending herein, of losing his eares, and for the second time to be condemned a yeare to the Gallies: and for the third time offending to be condemned to the Gallies for three yeares.

All fishermen, dressers of Sturgeon or such like appointed to fish, or to cure the said Sturgeon for the use of the Colonie, shall give a just and true account of all such fish as they shall take by day or night, of what kinds soever, the same to bring unto the Governour: As also of all such kegges of Sturgeon or Caviare as they shall prepare and cure upon perill for the first time offending heerein, of losing his eares, and for the second time to be condemned a yeare to the Gallies, and for the third time offending, to be condemned to the Gallies for three yeares. Every Minister or Preacher shall every Sabbath day before Catechising, read all these lawes and ordinances, publicly in the assembly of the congregation upon paine of his entertainment checkt for that weeke. ❀

All such Bakers...shall not  
steale nor imbezell,  
loose, or defraud any man  
of his due and proper  
weight and measure...



[1.] *Calling down evil upon a person.*

[2.] *A small dagger or stiletto.*

[3.] *Open defiance.*

[4.] *Treatment.*

[5.] *Provisions.*

[6.] *Materials for barter or exchange.*

[7.] *An officer who supervised the provision house of a fort.*

[8.] *The master of the provisions, who also provided the soldiers' allowance.*

[9.] *Spirits or alcoholic beverages.*

[10.] *Literally a man of the land—not a sailor.*

[11.] *Seeing that.*

[12.] *Bleach clothes.*

[13.] *Pallisades.*

[14.] *Rinse.*

[15.] *A tool used to remove trees.*

[16.] *A powerful chief of an Indian confederation south of the Potomac River.*

[17.] *A vessel used in sheltered water near the shore.*

[18.] *Boil.*