

Why Jamestown Matters *and* Jamestown Hangs in the Balance



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Why Jamestown Matters

BY JAMES HORN

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

If Jamestown, England's first permanent colony in the New World, had failed 400 years ago—and it came within a whisker of being abandoned on any number of occasions—then North America as we know it today would probably not exist. Instead of English, we might be speaking French, Spanish, or even Dutch. If Jamestown collapsed, the emergence of British America and eventually the creation of the United States may never have happened.

By the time John Smith and his fellow colonists landed in Virginia in 1607, many European colonies had failed already, owing to harsh winters, rampant disease, hostile Indians (or other Europeans), and difficulties with provisioning. The Spanish lost colonies in Florida, the French at Fort Caroline (Florida) and Port Royal (Nova Scotia) and the English at Baffin Island, Roanoke (North Carolina),



and Sagadahoc in Maine. Few colonies lasted more than a year and many hundreds of colonists died, often in terrible conditions. The spread of English settlements along the North Atlantic seaboard in the seventeenth and eighteenth centuries was far from inevitable.

So, too, the early colonists of Jamestown encountered daunting challenges. Unable to survive solely on their own, they counted on periodic reprovisioning and new infusions of settlers from their sponsors in England, the Virginia Company of London.

In November 1609, two and a half years after Jamestown was first settled (during which the colony had been a total loss to its investors), members of the Company learned that a hurricane had scattered a fleet of eight ships sent out earlier in the year to bring 500 settlers, food, arms, ammunition, and equipment to the beleaguered colony. The principle vessel, the 250-ton Sea Venture, was feared lost. As the Company members filed into their London office, their faces reflected their deep concerns. Should they continue to finance their risky and costly gamble in the New World or just pull the plug and let the colony collapse?

Their decision would change history. Instead of giving up, the members sprang into action to save their investment and calm investors and others who would soon learn the news of the disaster themselves. In December, the Company published *A True and Sincere Declaration*, a bold defense of the colonization effort that asked why this “great action” of the English should be “shaken and dissolved by one storm?” The carefully reasoned argument restated the colony’s purpose—to take possession of North



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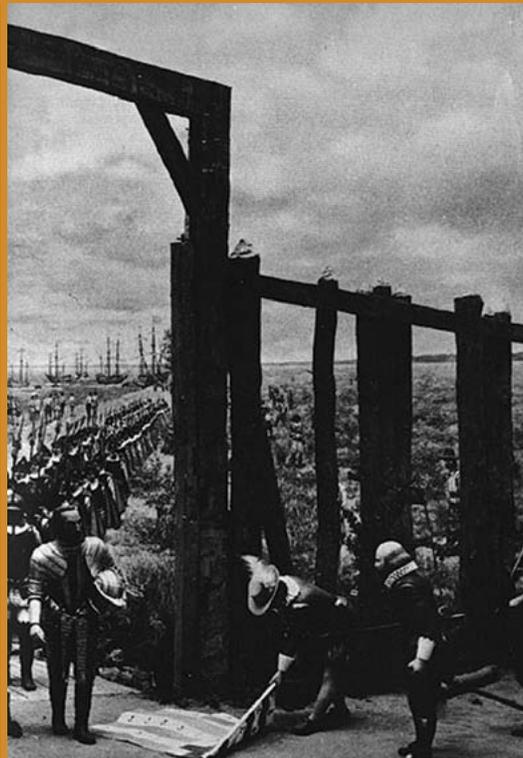
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America, bring Christianity to the Indians, and produce valuable commodities—and outlined why Jamestown would eventually become profitable. If these were the right and proper goals for the colony when the expedition had set out, the Company asserted, why should they be abandoned now?

The treatise worked, enabling the Company to raise money for another fleet, under the command of Lord De La Warr, which set out in April 1610 and arrived just in time. The winter and spring of 1609-1610 had proved particularly deadly to colonists. A combination of Indian attacks, disease, and starvation killed three-quarters of the 400 settlers in six months. When De La Warr's ships anchored off Jamestown Island in June, the new governor turned around surviving colonists who had just abandoned the site and put the colony on a more secure footing.

Had the Virginia Company pulled out of Jamestown, the English might never have established themselves as the major colonial power on the mainland, leaving the Spanish or Dutch to colonize the mid-Atlantic region, which may well have discouraged the establishment of English settlements in New England. Instead of settling at Plymouth, the Pilgrims might have ended up in Guiana, on the northern coast of South America, an alternative suggested at the time; Massachusetts settlers might have joined other Puritan groups moving to Providence Island, off the coast of Central America, and to sugar-rich islands of the West Indies. The English may well have decided to confine their activities to the Caribbean or abandoned colonizing projects in America altogether, turning their attention to dominating the business of transporting goods, much as the Dutch would do after losing New Netherland (New York) to the English in 1664.

But against the odds Jamestown survived, becoming the first successful English colony in North America, from which



Depiction of the arrival of De La Warr at Jamestown.

the English language, laws, and secular and religious institutions in time spread across North America and the globe. At Jamestown the English learned the hard lessons of how to keep a colony going. By trial and error, they discovered that only with the introduction of stable political and social institutions—representative government, the church, private property, and family and community life, as well as the discovery of profitable commodities—would settlements prosper and grow. All successful English colonies followed in the wake of Jamestown.

English colonization, however, unleashed powerful destructive forces and brought unimaginable misery for Indians and enslaved Africans alike. Hostilities between the English and Powhatan Indians kick-started a destructive cycle of violence, plunder, and

exploitation that would spread across the continent over the next three centuries, depriving native peoples of their lives, culture, and lands. The arrival of some two-dozen Angolan slaves at Jamestown in August 1619 presaged a system of exploitation and oppression that would destroy and blight the lives of countless Africans over many generations. At its creation, the new American nation would confront its greatest paradox: how could slavery persist in the midst of freedom?

Few other places in America so richly symbolize both the good and bad of our shared past. Jamestown matters because it is about coming to terms with that past; a past at times painful and conflicted but which eventually laid the foundations of modern America. At Jamestown, Indians, the English, and Africans first encountered one another, lived and worked alongside one another, survived and persisted, and in so doing began the long drawn out process—often contentious, sometimes tragic, but ultimately successful—by which together they shaped a new world and forged a new people. 🍷



Jamestown Hangs in the Balance

BY JAMES HORN

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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.

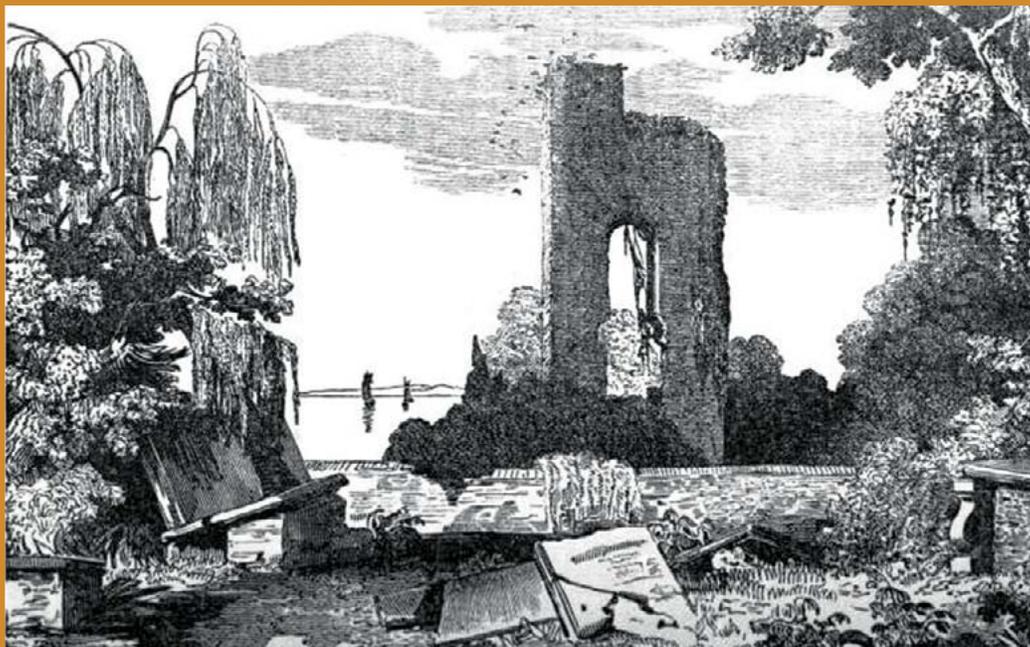
Jamestown, established in May 1607, had not prospered. By the end of 1608 a combination of dissension among the colony's leaders, Indian attacks, and food shortages had left it in true disarray. Hearing this, its sponsor, the Virginia Company of London, decided to put the colony on a completely new footing 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

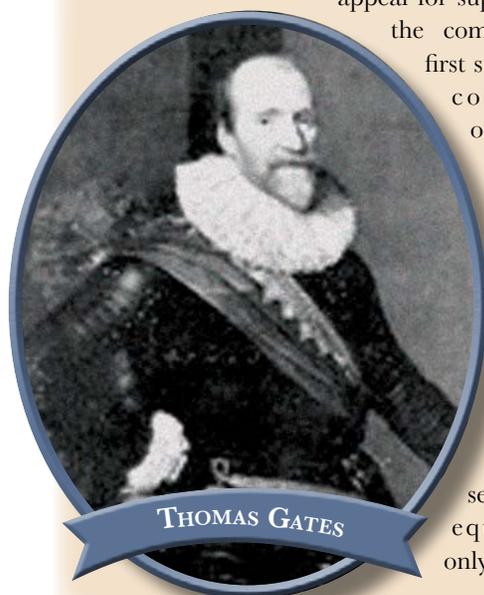
on July 24—St. James's Day—when a mighty hurricane burst upon the fleet little more than a week from its destination and scattered it upon the winds. Gates and most of the colony's leaders were aboard the flagship *Sea Venture*, which was wrecked upon the reefs surrounding Bermuda. One hundred fifty 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.



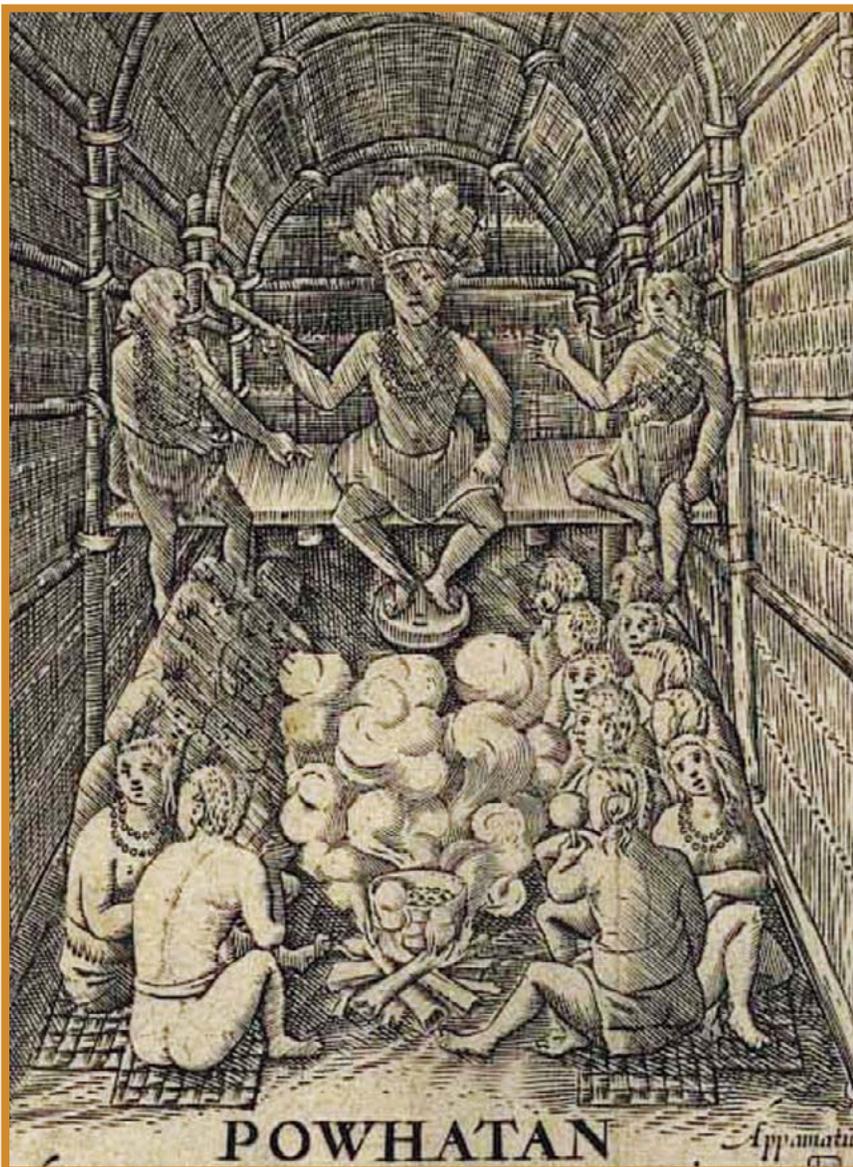
Jamestown in ruins, showing the tower of the old Jamestown Church.



THOMAS GATES

Jamestown Hangs in the Balance

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

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FIRST CHARTER OF VIRGINIA

<http://teachingamericanhistory.org/library/document/virginia-charter/>

❖ APRIL 10, 1606 ❖

I. JAMES, by the Grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c. WHEREAS our loving and well-disposed Subjects, Sir Thomas Gates, and Sir George Somers, Knights, Richard Hackluit, Clerk, Prebendary of Westminster, and Edward-Maria Wingfield, Thomas Hanham, and Raleigh Gilbert, Esqrs. William Parker, and George Popham, gentlemen, and divers others of our loving subjects, have been humble Suitors unto us, that we would vouchsafe unto them our licence, to make Habitation, Plantation, and to deduce a colony of sundry of our People into that part of America commonly called Virginia, and other parts and territories in America, either appertaining unto us, or which are not now actually possessed by any christian prince or people, situate, lying, and being all along the sea coasts, between four and thirty degrees of Northerly latitude from the Equinoctial line, and five and forty degrees of the same latitude, and in the main land between the same four and thirty and five and forty degrees, and the Islands thereunto adjacent, or within one hundred miles of the coast thereof.

II. And to that end, and for the more speedy accomplishment of their said intended plantation and habitation there, are desirous to divide themselves into two several colonies and companies; the one consisting of certain knights, gentlemen, merchants, and other adventurers, of our city of London and elsewhere, which are, and

from time to time shall be, joined unto them, which do desire to begin their plantation and habitation in some fit and convenient place, between four and thirty and one and forty degrees of the said latitude, alongst the coasts of Virginia, and the coasts of America aforesaid; and the other consisting of sundry knights, gentlemen, merchants, and other adventurers, of our cities of Bristol and Exeter, and of our town of Plimouth, and of other places, which do join themselves unto that Colony, which do desire their Plantation and habitation in some fit and convenient place, between eight and thirty degrees and five and forty degrees of the said latitude, all alongst the said coasts of Virginia and America, as that coast lyeth.

III. We greatly commending and graciously accepting of, their desires for the furtherance of so noble a work, which may, by the providence of Almighty God, hereafter tend to the glory of his divine Majesty, in propagating of Christian religion to such people, as yet live in darkness and miserable ignorance of the true knowledge and worship of God, and may in time bring the infidels and savages, living in those parts, to human civility, and to a settled and quiet government; Do, by these our letters pattents, graciously accept of, and agree to, their humble and well-intended desires;

IV. And do therefore, for us, our heirs and successors, grant and agree, that the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, and Edward-Maria Wingfield, adventurers of and for our city of London, and all such others, as are, or shall be joined unto them of that colony, shall be called the first Colony; and they shall and may begin their said first plantation and habitation, at any place upon the said coast of Virginia or America, where they shall think fit and convenient,

between the said four and thirty and one and forty degrees of the said latitude; And that they shall have all the lands, woods, soil, grounds, havens, ports, rivers, mines, minerals, marshes, waters, fishings, commodities, and hereditaments, whatsoever, from the said first seat of their Plantation and Habitation by the space of fifty miles of English statute measure, all along the said coast of Virginia and America, towards the west and south-west, as the coast lyeth, with all the islands within one hundred miles directly over against the same sea coast; and also all the lands, soil, grounds, havens, ports, rivers, mines, minerals, woods, waters, marshes, fishings, commodities, and hereditaments, whatsoever, from the said place of their first plantation and habitation for the space of fifty like English miles, all



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FIRST CHARTER OF VIRGINIA

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alongst the said coasts of Virginia and America, towards the east and north-east, or towards the north, as the coast lyeth, together with all the islands within one hundred miles, directly over against the said sea coast; and also all the lands, woods, soils, grounds, havens, ports, rivers, mines, minerals, marshes, waters, fishings, commodities, and hereditaments, whatsoever, from the same fifty miles every way on the sea coast, directly into the main land by the space of one hundred like English miles; and shall and may inhabit and remain there; and shall and may also build and fortify within any the same for their better safeguard and defence, according to their best discretion, and the discretion of the council of that colony; and that no other of our subjects shall be permitted, or suffered to plant or inhabit behind, or on the backside of them, towards the main land, without the express license or consent of the council of that colony, thereunto in writing first had and obtained.

V. And we do likewise, for us, our heirs, and successors, by these presents, grant and agree, that the said Thomas Hanham, and Raleigh Gilbert, William Parker, and George Popham, and all others of the town of Plymouth in the county of Devon, or elsewhere, which are, or shall be, joined unto them of that colony, shall be called the second colony; and that they shall and may begin their said Plantation and seat of their first abode and habitation, at any place upon the said coast of Virginia and America, where they shall think fit and convenient, between eight and thirty degrees of the said latitude, and five and forty degrees of the same latitude; and that they shall have all the lands, soils, grounds, havens, ports, rivers, mines, minerals, woods, marshes,

waters, fishings, commodities, and hereditaments, whatsoever, from the first seat of their plantation and habitation by the space of fifty like English miles, as is aforesaid, all alongst the said coasts of Virginia and America, towards the west and south-west, or towards the south, as the coast lyeth, and all the Islands within one hundred miles, directly over against the said sea coast; and also all the lands, soils, grounds, havens, ports, rivers, mines, minerals, woods, marshes, waters, fishings, commodities, and hereditaments, whatsoever, from the said place of their first plantation and habitation for the space of fifty like miles, all alongst the said coast of Virginia and America, towards the east and north-east, or towards the north, as the coast lyeth, and all the Islands also within one hundred miles directly over against the same sea coast; and also all the lands, soils, grounds, havens, ports, rivers, woods, mines, minerals, marshes, waters, fishings, commodities, and hereditaments, whatsoever, from the same fifty miles every way on the sea coast, directly into the main land, by the space of one hundred like English miles; and shall and may inhabit and remain there; and shall and may also build and fortify within any the same for their better safeguard, according to their best discretion, and the discretion of the council of that colony; and that none of our subjects shall be permitted, or suffered, to plant or inhabit behind, or on the back of them, towards the main land, without express licence of the council of

that colony, in writing thereunto first had and obtained.

VI. Provided always, and our will and pleasure herein is, that the plantation and habitation of such of the said colonies, as shall last plant themselves, as aforesaid, shall not be made within one hundred like English miles of the other of them, that first begin to make their plantation, as aforesaid.

VII. And we do also ordain, establish, and agree, for us, our heirs, and successors, that each of the said colonies shall have a council, which shall govern and order all matters and causes, which shall arise, grow, or happen, to or within the same several colonies, according to such laws, ordinances, and instructions, as shall be, in that behalf, given and signed with our hand or sign Manuel, and pass under the privy seal of our realm of England; each of which councils shall consist of thirteen persons, to be

ordained, made, and removed, from time to time, according as shall be directed and comprised in the same instructions; and shall have a several seal, for all matters that shall pass or concern the same several councils; each of which seals, shall have the king's arms engraven on the one side thereof, and his portraiture on the other; and the seal of the council of the said first colony shall have engraven round about, on the one side, these words: *Sigillum Regis Magna Britannia, Franciae, & Hibernia*: on the



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FIRST CHARTER OF VIRGINIA

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other side this inscription round about; Pro Concilio prima Coloniae Virginia. And the seal for the council of the said second colony shall also have engraven, round about the one side thereof, the aforesaid words: Sigillum Regis Magna Britannia, Franciae, & Hibernia; and on the other side; Pro Concilio secundo Coloniae, Virginia:

VIII. And that also there shall be a Council, established here in England, which shall, in like manner, consist of thirteen persons, to be, for that purpose, appointed by us, our heirs and successors, which shall be called our Council of Virginia; and shall, from time to time, have the superior managing and direction, only of and for all matters that shall or may concern the government, as well of the said several colonies, as of and for any other part or place, within the aforesaid precincts of four and thirty and five and forty degrees abovementioned; which council shall, in like manner, have a seal, for matters concerning the council or colonies, with the like arms and portraiture, as aforesaid, with this inscription, engraven round about on the one side; Sigillum Regis Magna Britannia, Franciae, & Hibernia, and round about on the other Side, Pro Concilio suo Virginia.

IX. And moreover; we do grant and agree, for us, our heirs and successors; that the said several councils, of and for the said several colonies, shall and lawfully may, by virtue hereof, from time to time, without any interruption of us, our heirs or successors, give and take order, to dig, mine, and search for all manner of mines of gold, silver, and copper, as well within any part of their said several colonies, as of the said main lands on the backside of the same colonies; And to have and enjoy the gold, silver, and copper, to be gotten thereof, to the use and behoof of

the same colonies, and the plantations thereof; yielding therefore to us, our heirs and successors, the fifth part only of all the same gold and silver, and the fifteenth part of all the same copper, so to be gotten or had, as is aforesaid, without any other manner of profit or account, to be given or yielded to us, our heirs, or successors, for or in respect of the same:

X. And that they shall, or lawfully may, establish and cause to be made a coin, to pass current there between the people of those several colonies, for the more ease of traffick and bargaining between and amongst them and the natives there, of such metal, and in such manner and form, as the said several councils there shall limit and appoint.

XI. And we do likewise, for us, our heirs, and successors, by these presents, give full power and authority to the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, Edward-Maria Wingfield, Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, and to every of them, and to the said several companies, plantations, and colonies, that they, and every of them, shall and may at all and every time and times hereafter, have, take, and lead in the said voyage, and for and towards the said several plantations, and colonies, and to travel thitherward, and to abide and inhabit there, in every the said colonies and plantations, such and so many of our subjects, as shall willingly accompany them, or any of them, in the said voyages and plantations; with

sufficient shipping, and furniture of armour, weapons, ordnance, powder, victual, and all other things, necessary for the said plantations, and for their use and defence there: Provided always, that none of the said persons be such, as shall hereafter be specially restrained by us, our heirs, or successors.

XII. Moreover, we do, by these presents, for us, our heirs, and successors, give and grant licence unto said Sir Thomas Gates, Sir George Somers, Richard Hackluit, Edward-Maria Wingfield, Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, and to every of the said colonies, that they, and every of them, shall and may, from time to time, and at all times forever hereafter, for their several defences, encounter, expulse, repel, and resist, as well by sea as by land, by all ways and means whatsoever, all and every such person and persons, as without the especial licence of

the said several colonies and plantations, shall attempt to inhabit within the said several precincts and limits of the said several colonies and plantations, or any of them, or that shall enterprise or attempt, at any time hereafter, the hurt, detriment, or annoyance, of the said several colonies or plantations:

XIII. Giving and granting, by these presents, unto the said Sir Thomas Gates, Sir George Somers, Richard



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Hackluit, Edward-Maria Wingfield, and their associates of the said first colony, and unto the said Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, and their associates of the said second colony, and to every of them, from time to time, and at all times forever hereafter power and authority to take and surprise, by all ways and means whatsoever, all and every person and persons, with their ships, vessels, goods, and other furniture, which shall be found trafficking, into any harbour or harbours, creek or creeks, or place, within the limits or precincts of the said several colonies and plantations, not being of the same colony, until such time, as they, being of any realms, or dominions under our obedience, shall pay, or agree to pay, to the hands of the treasurer of that colony, within whose limits and precincts they shall so traffick, two and a half upon every hundred, of any thing, so by them trafficked, bought, or sold; and being strangers, and not subjects under our obeysance, until they shall pay five upon every hundred, of such wares and merchandises, as they shall traffick, buy, or sell, within the precincts of the said several colonies, wherein they shall so traffick, buy, or sell, as aforesaid; which sums of money, or benefit, as aforesaid, for and during the space of one and twenty years, next ensuing that date hereof, shall be wholly employed to the use, benefit, and behoof of the said several plantations, where such traffick shall be made; and after the said one and twenty years ended, the same shall be taken to the use of us, our heirs, and successors, by such officers and ministers as by us, our heirs, and successors, shall be thereunto assigned or appointed.

XIV. And we do further, by these presents, for us, our heirs and successors, give and

grant unto the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, and Edward-Maria Wingfield, and to their associates of the said first colony and plantation, and to the said Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, and their associates of the said second colony and plantation, that they, and every of them, by their deputies, ministers, and factors, may transport the goods, chattels, armour, ammunition, and furniture, needful to be used by them, for their said apparel, food, defence, or otherwise in respect of the said plantations, out of our realms of England and Ireland, and all other our dominions, from time to time, for and during the time of seven years, next ensuing the date hereof, for the better relief of the said several colonies and plantations, without any customs, subsidy, or other duty, unto us, our heirs, or successors, to be yielded or payed for the same.

XV. Also we do, for us, our heirs, and successors, declare, by these presents, that all and every the persons being our subjects, which shall dwell and inhabit within every or any of the said several colonies and plantations, and every of their children, which shall happen to be born within any of the limits and precincts of the said several colonies and plantations, shall have and enjoy all liberties, franchises, and immunities, within any of our other dominions, to all intents and purposes, as if they had been abiding and born, within this our realm of England, or any

other of our said dominions.

XVI. Moreover, our gracious will and pleasure is, and we do, by these presents, for us, our heirs, and successors, declare and set forth, that if any person or persons, which shall be of any of the said colonies and plantations, or any other, which shall traffick to the said colonies and plantations, or any of them, shall, at any time or times hereafter, transport any wares, merchandises, or commodities, out of any of our dominions, with a pretence to land, sell, or otherwise dispose of the same, within any the limits and precincts of any the said colonies and plantations, and yet nevertheless, being at sea, or after he hath landed the same within any of the said colonies and plantations, shall carry the same into any other foreign country, with a purpose there to sell or dispose of the same, without the licence of us, our heirs, and successors, in that behalf first had and obtained; that then, all the goods and chattels of such person or persons, so offending and transporting, together with the said ship or vessel, wherein such transportation was made, shall be forfeited to us, our heirs, and successors.

XVII. Provided always, and our will and pleasure is, and we do hereby declare to all Christian kings, princes, and states, that if any person or persons, which shall hereafter be of any of the



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said several colonies and plantations, or any other, by his, their, or any of their licence and appointment, shall, at any time of times hereafter, rob or spoil, by sea or land, or do any act of unjust and unlawful hostility, to any the subjects of us, our heirs, or successors, or any the subjects of any king, prince, ruler, governor, or state, being then in league or amity with us, our heirs, or successors, and that upon such injury, or upon just complaint of such prince, ruler, governor, or state, or their subjects, we, our heirs, or successors, shall make open proclamation, within any of the ports of our realm of England, commodious for that purpose, that the person or persons, having committed any such robbery or spoil, shall, within the term to be limited by such proclamations, make full restitution or satisfaction of all such injuries done, so as the said princes, or others, so complaining, may hold themselves fully satisfied and contented; and that, if the said person or persons, having committed such Robbery or spoil, shall not make, or cause to be made, satisfaction accordingly, within such time so to be limited, that then it shall be lawful to us, our heirs, and successors, to put the said person or persons, having committed such robbery or spoil, and their procurers, abettors, and comforters, out of our allegiance and protection; and that it shall be lawful and free for all Princes and others, to pursue with hostility the said offenders, and every of them, and their and every of their procurers, aiders, abettors, and comforters, in that behalf.

XVIII. And finally, we do for us, our heirs, and successors, grant and agree, to and with the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, Edward-Maria Wingfield, and all others

of the said first colony, that we, our heirs and successors, upon petition in that behalf to be made, shall, by letters, patent under the great seal of England, given and grant unto such persons, their heirs and assigns, as the council of that colony, or the most part of them, shall, for the purpose nominate and assign, all the lands, tenements, and hereditaments, which shall be within the precincts limited for that colony, as is aforesaid, to be holden of us, our heirs and successors, as of our manor at East-Greenwich in the County of Kent, in free and common soccage only, and not in Capite:

XIX. And do, in like manner, grant and agree, for us, our heirs and successors, to and with the said Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, and all others of the said second colony, that we, our heirs, and successors, upon petition in that behalf to be made, shall, by letters patent, under the great seal of England, give and grant unto such persons, their heirs and assigns, as the council of that colony, or the most part of them, shall, for that purpose, nominate and assign, all the lands, tenements, and hereditaments, which shall be within the precincts limited for that colony, as is aforesaid, to be holden of us, our heirs, and successors, as of our manor of East-Greenwich in the colony of Kent, in free and common Soccage only, and not in Capite.

XX. All which lands, tenements, and hereditaments, so to be passed by

the said several letters patent, shall be sufficient assurance from the said patentees, so distributed and divided amongst the undertakers for the plantation of the said several colonies, and such as shall make their plantations in either of the said several colonies, in such manner and form, and for such estates, as shall be ordered and set down by the council of the said colony, or the most part of them, respectively, within which the same lands, tenements, and hereditaments shall lye or be; although express mention of the true yearly value or certainty of the premises or any of them, or of any other gifts or

grants, by us or any of our progenitors or predecessors, to the aforesaid Sir Thomas Gates, knight, Sir George Somers, knight, Richard Hackluit, Edward-Maria Wingfield, Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, or any of them, heretofore made, in these

presents, is not made; or any statute, act, ordinance, or provision, proclamation, or restraint, to the contrary hereof had, made, ordained, or any other thing, cause, or matter whatsoever, in any wise notwithstanding. In witness whereof, we have caused these our letters to be made patents; witness ourself at Westminster, the tenth day of April, in the fourth year of the reign of England, France, and Ireland, and of Scotland the nine and thirtieth. ☞

—*Lukin Per breve de privato Sigillo*



Why Jamestown Matters *and* Jamestown Hangs in the Balance

LAWS ENACTED BY THE FIRST GENERAL ASSEMBLY OF VIRGINIA

<http://teachingamericanhistory.org/library/document/laws-enacted-by-the-first-general-assembly-of-virginia/>

❖ 1619 ❖

BY THIS PRESENT GENERAL ASSEMBLY be it enacted that no injury or oppression be wrought by the English against the Indians whereby the present peace might be distributed and ancient quarrels might be revived. And farther be it ordained that the Chicohomini are not to be excepted out of this law, until either that such order come out of England or that they do provoke us by some new injury.

Against idleness, gaming, drunkenness, and excess in apparel the assembly has enacted as follows.

First, in detestation of idlers, be it enacted that if any man be found to live as an idler or renegade, though a freed man, it shall be lawful for that incorporation or plantation to which he belongs to appoint him a master to serve for wages till he shows apparent signs of amendment.

Against gaming at dice and cards be it ordained by this present assembly that the winner or winners shall lose all his or their winnings and both winners and losers shall forfeit ten shillings a man, one ten shillings whereof to go to the discoverer and the rest to charitable and pious uses in the incorporation where the faults are committed.

Against drunkenness be it also decreed that if any private prsons be found culpable thereof, for the first time he is to be reproved privately by the minister, the second time publicly, the third time to lie in bolts 12 hours in the house of the provost marshal and to pay his fees, and if he still continue in that vice to undergo such severe punishment as the Governor and Council of Estate shall thinke fit to be inflicted on him. But if any officer offend in this crime, the first time he shall receive a reproof from the Governor, the second time he shall openly be reproved in the church by the minister, and the third time he shall first be committed and then degraded. Provided it be understood that the Governor has always power to restore him when he shall, in his discretion, think fit.

Against excess of apparel, that every man be assessed in the church for all public contributions, if he be unmarried according to his own apparel, if he be married, according to his own and his wife's or either of their apparel.

As touching the instruction of drawing some of the better disposed of the Indians to converse with our people and to

live and labor among them, the assembly, who know well their dispositions, think it fit to enjoin at least to counsel those of the colony neither utterly to reject them nor yet to draw them to come in. But in case they will of themselves come voluntarily to places well peopled, there to do service in killing of deer, fishing, beating corn, and other works, that then five or six may be admitted into every such place and no more, and that with the consent of the Governor, provided that good guard in the night be kept upon them, for generally, though some among many may prove good, they are a most treacherous people and quickly gone when they have done a villainy. And it were fit a house were built for them to lodge in apart by themselves, and lone inhabitants by no means to entertain them.

Be it enacted by this present assembly that for laying a surer foundation of the conversion of the Indians to Christian religion, each town, city, borough, and particular plantation do obtain unto themselves by just means a certain number of the native's children to be educated by them in true religion and civil course of life. Of which children the most towardly boys in wit and graces of nature to be brought up by them in the first elements of literature, so as to be fitted for the college intended for them, that from thence they may be sent to that work of conversion.

As touching the business of planting corn, this present assembly does ordain that, year by year, all and every householder and householders have in store for every servant he or they shall keep, and also for his or their own persons, whether they have any servants or no, one spare barrel of corn to be delivered out yearly either upon sale or exchange, as need shall require. For the neglect of which duty he shall be subject to the censure of the Governor and Council of Estate; provided always, that for the first year of every man this law shall not be in force.

About the plantation of mulberry trees, be it enacted that every man, as he is seated upon his division does, for seven years together, every year plant and maintain in growth six mulberry trees at the least and as



Why Jamestown Matters *and* Jamestown Hangs in the Balance

LAWS ENACTED BY THE FIRST GENERAL ASSEMBLY OF VIRGINIA

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many more as he shall think convenient and as his virtue and industry shall move him to plant; and that all such persons as shall neglect the yearly planting and maintaining of that small proportion shall be subject to the censure of the Governor and the Council of Estate.

Be it further enacted, as concerning silk flax, that those men that are upon their division or settled habitation do this next year plant and dress 100 plants which being found a commodity may farther be increased. And whosoever do fail in the performance of this shall be subject to the punishment of the Governor and Council of Estate.

For hemp also, both English and Indian, and for English flax and aniseeds, we do require and enjoin all householders of this colony, that have any of those seeds, to make trial thereof the next season.

Moreover, be it enacted by this present assembly that every householder does yearly plant and maintain ten vines, until they have attained to the art and experience of dressing a vineyard, either by their own industry or by the instruction of some vigneron. And that upon what penalty soever the Governor and Council of Estate shall think fit to impose upon the neglecters of this act.

Be it also enacted that all necessary tradesmen, or so many as need shall require, such as are come over since the departure of Sir Thomas Dale or that shall hereafter come, shall work at their trades for any other man; each one being paid according to the quality of his trade and work, to be estimated, if he shall not be contented, by the Governor and officers of the place where he works.

Be it further ordained by this General Assembly, and we do by these presents enact, that all contracts made in England between the owners of land and their tenants and servants which they shall send hither may be caused to be duly performed and that the offenders be punished as the Governor and Council of Estate shall think just and convenient.

Be it established also by this present assembly that no crafty or advantageous means be suffered to be put in practice for the enticing away the tenants and servants of any particular plantation from the place where they are seated. And that it shall be the duty of the Governor and Council of Estate most severely to punish both the seducers and the seduced and to return these latter into their former places.

Be it further enacted that the orders for the magazine lately made be exactly kept and that the magazine be preserved from wrong and sinister practices and that, according to the orders of court in England, all tobacco and sassafras be brought by the

planters to the cape merchant till such time as all the goods now or heretofore sent for the magazine be taken off their hands at the prices agreed on, that by this means the same going for England into one hand the price thereof may be upheld the better. And to the end that all the whol colony may take notice of the last order of court made in England, and all those whom it concerns may know how to observe it, we hold it fit to publish it here for a law among the rest of our laws, the which orders is as follows.

Upon the 26th of October 1618, it was ordered that the magazine should continue during the term formerly prefixed and that certain abuses now complained of should be reformed; and that for preventing of all impositions, save the allowance of 25 in the hundred profit the Governor shall have an invoice as well as the cape merchant, that if any abuse in the sale of goods be offered, he, upon intelligence and due examination thereof, shall see it corrected. And for the encouragement of particular hundreds, as Smith's hundred, Martin's hundred, Lawn's hundred and the like, it shall be lawful for them to return the same to their own adventurers; provided that the same commodity be of their own growing, without trading with any other, in one entire lump and not dispersed, and that at the determination of the joint stock the goods then remaining in the magazine shall be bought by the said particular colonies before any other goods which shall be sent by private men. And it is, moreover, ordered that if the Lady La warre, the Lady Dale, Captain Bargrave, and the rest would unite themselves into a settled colony, they might be capable of the same privileges that are granted to any of the foresaid hundreds. Hitherto the order.

All the General Assembly by voices concluded not only the acceptances and observation of this order, but of the instruction also to Sir George Yeardley next preceding the same; provided, first, that the cape merchant do accept of the tobacco of all and every the planters here in Virginia, either for goods or upon bills of exchange at three shillings the pound the best and 18 shillings the second sort; provided, also, that the bills be duly paid in England; provided, in the third place, that if any other besides the magazine have at any time any necessary commodity which the magazine does want, it shall and may be lawful for any of the colony to buy the said necessary commodity of the said party, but upon the terms of the magazine, viz., allowing no more gain than 25 in the hundred, and that with the leave of the Governor; provided, lastly, that it may be



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lawful for the governor to give leave to any mariner, or any other person that shall have any such necessary commodity wanting to the magazine, to carry home for England so much tobacco or other natural commodities of the country as his customers shall pay him for the said necessary commodity or commodities. And to the end we may not only persuade and incite men but enforce them also thoroughly and loyally to cure their tobacco before they bring it to the magazine, be it enacted, and by these presents we do enact, that if upon the judgment of four sufficient men of any corporation where the magazine shall reside, having first taken their oaths to give true sentence, two whereof to be chosen by the cape merchant and two by the incorporation, any tobacco whatsoever shall not prove vendible at the second price, that it shall there immediately be burned before the owner's face.

It shall be free for every man to trade with the Indians, servants only excepted, upon pain of whipping unless the master redeem it off with the payment of an angel, one-fourth part whereof to go to the provost marshal, one-fourth part to the discoverer, and the other moiety to the public uses of the incorporation where he dwells.

That no man do sell or give any Indians any piece, shot, or powder, or any other arms offensive or defensive, upon pain of being held a traitor to the colony and of being hanged as soon as the fact is proved, without all redemption.

That no man do sell or give any of the greater howes to the Indians, or any English dog of quality, as a mastive, greyhound, blood hound, land or water spaniel, or any other dog or bitch whatsoever, of the English race, upon pain of forfeiting five pounds sterling to the public uses of the incorporation where he dwells.

That no man may go above twenty miles from his dwelling place, nor upon any voyage whatsoever shall be absent from thence for the space of seven days together, without first having made the Governor or commander of the same place acquainted therewith, upon pain of paying twenty shillings to the public uses of the same incorporation where the party delinquent dwells.

That no man shall purposely go to any Indian towns, habitation, or places of resort without leave from the Governor or commander of that place where he lives, upon pain of paying 40 shillings to public uses as aforesaid.

That no man living in this colony but shall between this and the first of January next ensuing come or send to the Secretary of State to enter his own and all his servants names and for what term or upon what conditions they are to serve,

upon penalty of paying 40 shillings to the said Secretary of State. Also, whatsoever masters or people do come over to this plantation that within one month of their arrival, notice being first given them of this very law, they shall likewise report to the Secretary of State and shall certify him upon what terms or conditions they become hither, to the end that he may record their grants and commissions and for how long time and upon what conditions their servants, in case they have any, are to serve them, and that upon pain of the penalty next above mentioned.

All ministers in the colony shall once a year, namely in the month of March, bring to the Secretary of Estate a true account of all the christenings, burials, and marriages, upon pain, if they fail, to be censured for their negligence by the Governor and Council of Estate; likewise, where there be no ministers, that the commanders of the place do supply the same duty.

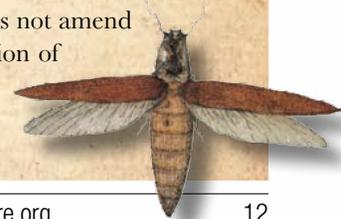
No man without leave from the governor shall kill any neat cattle whatsoever, young or old, especially kine, heifers, or cow calves, and shall be careful to preserve their steers and oxen and to bring them to plough and such profitable uses, and, without having obtained leave as aforesaid, shall not kill them upon penalty of forfeiting the value of the beast so killed.

Whosoever shall take any of his neighbors boats, oars, or canoes without leave from the owner shall be held and esteemed as a felon and so proceeded against. Also, he that shall take away by violence or steals any canoes or other things from the Indians shall make valuable restitution to the said Indians and shall forfeit, if he be a freeholder, five pounds, if a servant 40 shillings, or endure a whipping; and anything under the value of 13 pence shall be accounted petty larceny.

All ministers shall duly read divine service and exercise their ministerial function according to the ecclesiastical laws and orders of the Church of England and every Sunday in the afternoon shall catechize such as are not yet ripe to come to the communion. And whosoever of them be found negligent or faulty in this kind shall be subject to the censure of the Governor and Council of Estate.

The ministers and church wardens shall seek to prevent all ungodly disorders; the committers whereof if, upon good admonitions and mild reproof, they will not forbear the said scandalous offences, as suspicions of whoredoms, dishonest company keeping with women, and such like, they are to be presented and punished accordingly.

If any person, after two warnings, does not amend his or her life in point of evident suspicion of incontinency or of the commission of any other enormous sins, that then he



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or she be presented by the church wardens and suspended for a time from the church by the minister. In which interim, if the same person do not amend and humbly submit him or herself to the church, he is then fully to be excommunicated and soon after a writ or warrant to be sent from the Governor for the apprehending of his person and seizing all his goods. Provided always, that all the ministers do meet once a quarter, namely at the feast of St. Michael the Archangel, of the Nativity of our Saviour, of the Annunciation of the Blessed Virgin, and about mid-summer, at James City or any other place where the Governor shall reside, to determine whom it is fit to excommunicate, and that they first present their opinion to the Governor ere they proceed to the act of excommunication.

For reformation of swearing, every freeman and master of a family after thrice admonition shall give 5 shillings of the value upon present demand to the use of the church where he dwells, and every servant after the like admonition, except his master discharge the fine, shall be subject to whipping; provided, that the payment of the fine notwithstanding, the said servant shall acknowledge his fault publicly in the church.

No man whatsoever coming by water from above, as from Henrico, Charles City, or any place from the westward of James City, and being bound for Kiccowtan or any other part on this side of the same, shall presume to pass by either by day or by night without touching first here at James City, to know whether the Governor will command him any service, and the like shall they perform that come from Kiccowtanward or from any place between this and that to go upward, upon pain of forfeiting ten pounds sterling a time to the Governor; provided, that if a servant having had instructions from his master to observe his service does, notwithstanding, transgress the same, that then the said servant shall be punished at the governor's discretion, otherwise that the master himself shall undergo the foresaid penalty.

No man shall trade into the bay either in shallop, pinnace, or ship without the Governor's license and without putting in security that neither himself nor his company shall force or wrong the Indians, upon pain that doing otherwise they shall be censured at their return by the Governor and Council of Estate.

All persons whatsoever, upon Sabbath days, shall frequent divine service and sermons both forenoon and afternoon and all such as bear arms shall bring their pieces, swords, powder and shot. And every one that shall transgress this law shall forfeit three shillings a time to the use of the church, all lawful and necessary impediments excepted. But if a servant in this case shall willfully neglect his master's command he shall suffer bodily punishment.

No maid or woman servant, either now resident in the colony or hereafter to come, shall contract herself in marriage without either the consent of her parents or her master or masters or of the magistrate and minister of the place

both together. And whatsoever minister shall marry or contract any such persons without some of the aforesaid consents shall be subject to the severe censure of the Governor and Council of Estate.

Be it enacted by the present assembly that whatsoever servant has heretofore or shall hereafter contract himself in England, either by way of indenture or otherwise, to serve any master here in Virginia and shall afterward, against his said former contract, depart from his master without leave or, being once embarked, shall abandon the ship he is appointed to come in and so being left behind shall put himself into the service of any other man that will bring him hither, that then at the same servant's arrival here, he shall first serve out his time with that master that brought him hither and afterward also shall serve out his time with his former master according to his covenant. ☞



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CAPTAIN JOHN SMITH'S MAP OF VIRGINIA

<http://www.virtualjamestown.org/jsmap1.html>



John Smith's "Virginia" was originally published separately in London in 1612 and then in the 1612 Oxford publication of John Smith's *A Map of Virginia: With a Description of the Countrey, the Commodities, People, Government and Religion*. Subsequently it appeared in several other works by Smith and other commentators on Virginia. It remained the most influential map of Virginia until the last quarter of the 17th century and many of the place names used by Smith remain in use.