



The Oldest  
Legislative Assembly  
in America



*Its First Statehouse*



*This publication relates to Jamestown Island, Va. A portion of Jamestown Island is included in Colonial National Historical Park and is administered by the National Park Service of the United States Department of the Interior. Jamestown National Historic Site, the other portion of the Island, is administered by the Association for the Preservation of Virginia Antiquities. A cooperative agreement between the Association and the Department of the Interior has been in effect since 1940 providing for a unified program of development for the whole Jamestown Island area.*

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... the assembly of 1619 is of first importance in our annals; it was indeed, the "mother" of the American representative legislature.

EDWARD CHANNING,  
*History of the United States.*

In so far as America is concerned, the evolution of colonial self-government is the most important development of the seventeenth century. Spain, Portugal, France, and the United States of the Netherlands had colonies, but in none of these was self-government considered practicable or desirable.

MATTHEW PAGE ANDREWS,  
*Virginia, the Old Dominion.*



## The Oldest Legislative Assembly in America & its First Statehouse

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IN 1932 George C. Gregory, of Richmond, Va., long interested in the early history of Jamestown, while investigating the old town site on Jamestown Island encountered below ground, at a point near the river and down stream from the old brick church tower, the ruined foundations of a seventeenth century building. He excavated a part of the site and carried his operations far enough to outline the entire building. This structure he identified as the "First Statehouse" at Jamestown—the first real capitol building—acquired by the colony in 1641. Later in 1934 and 1935 the National Park Service, through its architects, historians, and archeologists working in Colonial National Historical Park, made a complete study of this site, opening and uncovering the entire structure, collecting and preserving objects found in and about the ruins, and preparing the results of observation and study in permanent record form for future reference. All the evidence goes to show that this structure, a three-section brick building of seventeenth century construction, since it satisfies most of the known facts about the first statehouse, is in reality the ruins of that building.

It was in the statehouse that much of the activity of the colonial government originated, and from it most of that activity was directed. First and foremost the statehouse was the meeting place for the council and the elected House of Burgesses sitting as Virginia's General Assembly, the oldest legislative body in English speaking America. Twenty-two years before the colony acquired its first publicly owned statehouse, the first assembly met at Jamestown. This meeting, which convened in the framed, cedar interior trimmed church on July 30, 1619 (August 9 New Style) was the beginning of representative government in America. Because of what it later came to mean, this event ranks as one deeply significant in the development of free America.



The old church tower at Jamestown within the grounds of the Association for the Preservation of Virginia Antiquities.  
On this site the first legislative assembly met in 1619.

Much has been said about the origin of representative government in America and perhaps, as yet, the complete story has not been told. It is stating the obvious, however, to say that the first assembly, in 1619, did not spring fully developed as an organ of representative democracy. The first assembly, in 1619, was the first meeting of an assembly set up for Virginia as a part of a general reorganization introduced by the Virginia Company of London<sup>1</sup> to improve conditions in the colony which it was directing. It was the gradual evolution and development of this assembly in Virginia, of similar bodies later in the other colonies, that made it the fundamental mechanism of free government as we know it today.

The Virginia colony, begun in 1607, did not grow and develop as rapidly as its founders had hoped. The obstacles were great, it is true, yet the adventurers of the Virginia Company maintained their fixed determination to establish a paying enterprise. This led to a program of reform adopted by the company in 1618. Motivated by a lack of progress in the colony, the authors of the new plans aimed solely at strengthening the company and building up the colony. Political reform was merely one phase of a much broader reorganization of company affairs. Such reform seemed necessary preparation for the projected economic policies which, it was hoped, would bring prosperity and stability. The attempt at popular government owes a great deal to Sir Edwin Sandys who saw the need for a change in the management of affairs as a prelude to securing better colonists, a wider range of agriculture and industry, and the introduction of schools, inns, and comfortable homes. The popular control advocated, it appears, was taken for the most part from the practices of the company itself in its quarterly gatherings, or courts. The program was the work of the whole company, and there is nothing to indicate any real opposition to it in 1618.

Of the political reforms voted for Virginia in 1618 one of the greatest was the abolition of martial law and the substitution of English common law. The second main feature was the grant of a legislative assembly. There was nothing especially radical about this second feature. As planned, it would operate very much as did the older council of the company. Moreover, it brought no immediate weakness in the company's government, and it left the company in supreme control without altering its position. It was a device whereby the company expected to reap benefits of cooperation, better

<sup>1</sup> The Virginia Company of London was an organization operating under charter from King James I of England for the general purpose of discovery, colonization, and trade. It was, strictly speaking, a business undertaking operated by means of capital invested by adventurers (from various sections of English life) who expected returns on their investments. The first charter was approved in 1606 with authority for the company to operate in a prescribed section of America. It was through the Virginia Company that Jamestown was settled in 1607 and that Virginia was governed and managed until the company was dissolved in 1624.

unity, and better spirit in the colony. It would shift much local detail to a local body; it would promote the application of new economic policies; and it would bring better conformity with practices in England and with English institutions.

When Sir George Yeardley left England in the winter of 1618-19 for his new post as Governor of Virginia he had with him instructions embodying the reforms recently passed by the Virginia Company. One body of instructions authorized him to summon a general assembly once each year and no oftener, unless, because of an "extraordinary and exigent necessity," for the purpose of finding out and executing "those things as might tend to their good." Soon after his arrival in April 1619, he moved to carry out this part of his instructions. He first issued a proclamation making public a part of the new program and including a statement about the assembly:

And that they might have a hande in the governinge of themselves, it was granted that a general assemblie should be helde yearly once, wherat were to be present the Govr and Counsell with two Burgesses from each Plantation freely to be elected by the inhabitants thereof; this assembly to have power to make and ordaine whatsoever lawes and orders should by them be thought good and proffittable for our subsistance.<sup>2</sup>

#### THE FIRST ASSEMBLY, 1619

Apparently, the election of burgesses took place soon after June 19, with the inhabitants of the various localities registering their choice. It appears that the term "inhabitants" was interpreted literally and the whole populace, excepting women, children, and apprentices under age, assembled and made their selections *viva voce*, or "by show of hands." On July 30 newly chosen burgesses from eleven centers of settlement scattered along the James River met at Jamestown, as did the Governor and his councilors. The Governor and the burgesses are known by name, and of the councilors the names of six have been preserved. Many of the men were already considered old planters in Virginia; some were already quite prominent in colonial affairs; and others were to become better known later in Virginia history. John Pory, secretary of the colony and a councilor, was appointed speaker of the assembly and from his pen has come "A Reporte of the Manner of proceeding in the general assembly convented at James City" in 1619. Pory, because of his knowledge of parliamentary rules and procedure, undoubtedly contributed a great deal to the success of the first assembly. He was a man of considerable experience having been a member of the English Parliament for several years before he came to Virginia.

<sup>2</sup> *Journals of the House of Burgesses of Virginia, 1619-1658/59*, edited by H. R. McIlwaine. Richmond, 1915. Page 36.

The meeting convened in the "Quire of the Churche" at Jamestown, "The most convenient place . . . [they] could finde to sitt in." Governor Yeardley took his seat in his accustomed place in the church and the councilors sat beside him, some on the right, some on the left, excepting John Pory, who was named speaker and sat in front of the Governor. John Twine, clerk of the assembly, sat beside the speaker. The sergeant, Thomas Pierce, stood at the bar ready to carry out the orders of the body. All assembled in the "quire," and Rev. Richard Buck, "A verie good preacher" and officiating minister, opened the meeting with prayer. The burgesses then withdrew into the church and on receiving the "oathe of Supremacy," administered individually, entered the assembly. With this formality completed, the assembly began its deliberations.

Before the burgesses moved to take up their legislative work, they first considered the eligibility of the members to their seats in the House. Here the burgesses evidently assumed a power that the House of Commons in England had, after a struggle, wrested from the King. In any case, the first burgesses exercised this power when they challenged the seating of four representatives, ultimately denying the seating of two over a question of special privileges enjoyed by the plantation from which the burgesses came. "Special privilege" was a theme that was to echo through many decades of American politics.

The order of business apparently had been arranged before the assembly convened. Possibly it was arranged by the speaker, the Governor, or both acting together. The first matter was a consideration of the "greate Charter" brought over by Governor Yeardley. This important document dealt largely with the settlement of land tenure and internal organization in the colony, with only general attention to government and political rights. It is best described as a veritable code of privileges, orders, and laws, dealing with the affairs of the colony in all their bearings and designed to be binding upon the members of the colony and their heirs forever. The speaker read the charter before the assembly and then two committees were set up to consider it in detail. On July 31 the committees made their reports on the charter and the assembly approved the document acting through petitions, however, to ask for certain minor changes and assurances in the application of the charter. The major concern shown in the petitions seems to have been the right to, and the confirmation of, land titles. One writer has asserted that the approved charter became the first written constitution of government promulgated or put into practice in America.

Proceeding to the next step in the legislative agenda, the assembly began a consideration of the instructions that had been issued by the Company in England to the various governors that had been appointed for Virginia. The assembly moved to enact into law the passages from these instructions that would make toward better government and security in the colony. On

Monday, August 2, the committees reported on this subject and the assembly adopted measures against idleness, gambling, drunkenness, and excess in apparel. Other measures touched on protection against the Indians; christianizing the Indians; the planting of corn, mulberry trees, hemp, and vines; the application of tradesmen to their trades; the carrying out of contracts; and the regulation of the magazine. One bit of legislation attempted the control of tobacco prices by law.

On August 3 the assembly for a time took over an element of judicial power when it tried a servant of one Capt. William Powell for irregular living and for giving false information to the Governor regarding Captain Powell. There were two trials of this sort conducted by the assembly of 1619.

Also on the 3rd of August the assembly considered still another type of law—"A thirde sorte of laws suche as may issue out of every man's private conceipte." As these descriptive words imply this would mean laws proposed by the individual members of the body itself. Here is the immediate assumption of the power of initiating legislation, as well as of acting on laws proposed from above. The legislators acted to control relations with the natives and the personal affairs of the colonists where they were detrimental to the welfare of the colony. The burgesses went further, requiring compulsory church attendance, insisting that ministers in Virginia perform their duties, including the keeping of accurate records of births, marriages, and deaths. Other laws touched on trade, marriage, protection of livestock, contracts of indentures, and related subjects.

On the last day of the assembly, August 4, the assembly passed its first tax law. This was in the form of a poll tax on every man and manservant in the colony above the age of 16 and was to pay the officers of the assembly for their services during the session. With this out of the way and after several additional petitions, the assembly was prorogued by the Governor due to "the intemperature of the weather and falling sick of the Burgesses."

The first assembly, lasting 6 days and meeting in mid-summer when conditions at Jamestown were most unfavorable to work of this sort, accomplished a great deal before it was prorogued, apparently with its own consent. Within 6 days it debated and passed three principal bodies of law. Aside from this, its chief work, it tried two cases, passed on the qualifications of its members, and gave attention to various other details. Although it accomplished a great deal and in fact even began to reach out for additional power, its status as an element in the government of the colony was not secure. Even its nature and limits were still undefined.

The first assembly later proved to be the real beginning of representative government in America; yet, in 1619, it is doubtful if any of the burgesses was conscious of the real significance of the meeting. Whatever the inter-



SIR EDWIN SANDYS

A leader in the movement for popular government in Virginia. He was an uncle of Margaret Sandys, wife of Governor Sir Francis Wyatt, of Virginia, who favored the practice of representative government in the Virginia Colony. (Portrait from Alexander Brown, *The First Republic in America*. Courtesy of Houghton, Mifflin and Company.)

pretation of the event, the assembly disbanded on August 4. The members were probably glad to return home, for the heat was intense and sickness was rife—one burgess died during the session. In any case, they were scheduled to convene again in March, at which time they would be able to complete any unfinished business that remained.

At this point it is interesting to note that in this first assembly there was evidence that its members by diverse means hoped to increase the power of the body and thereby exercise greater power in the affairs of the colony. This is best seen, perhaps, in the last petition that passed the burgesses on August 4:

Their last humble suite is, that the said Counsell and Company would be pleased, so soon as they shall finde it convenient, to make good their promise sett downe at the conclusion of their commission for establishing the Counsel of Estate and the General Assembly, namely, that they will give us power to allowe or disallowe of their orders of Courte, as his Majesty hath given them power to allowe or to reject our lawes.<sup>3</sup>

#### THE ASSEMBLY, 1620-39

It is not known that the General Assembly actually convened the following March. Evidence that it did is lacking, yet there is good likelihood that a meeting did take place. An assembly did meet after the arrival of Governor Sir Frances Wyatt in October 1621. The session continued for several days, although little is known of what actually took place. It seems improbable that there was an assembly during the period of the Indian massacre of 1622. For some months after this destructive blow the problems of sickness, protection, lack of food, and security from further attack were the paramount questions of the day. It seems reasonable to suppose that the Governor, acting with his council, made the necessary rules and regulations to take the colony through this period.

The last assembly under the Company met in February and in March of 1624. This meeting was given over for the most part to answering statements relative to the state of the colony. At this time the future of the Virginia Company, which had been directing the affairs of the colony since 1607, was the leading question of the day. The assembly, anxious to preserve the liberties granted in 1619, went on record in a petition to King James I and the Privy Council denouncing the autocratic government that existed in the colony prior to 1619 and asking that this type of government be abandoned for all time. Among other things, the burgesses at this meeting were called on to assist the commissioners who had been sent

<sup>3</sup> *The Records of the Virginia Company of London*, edited by Susan Myra Kingsbury. Washington, 1933. Volume III, page 177.

to Virginia to inquire into the state of the colony. In its relations with these commissioners, one of whom (Sir John Harvey) was later Governor, the assembly refused to associate its name with an attack on the company. It is significant, perhaps, that the burgesses refused to send their papers to England by the commissioners. They chose instead a personal representative of their selection, one John Pountis. In all of its transactions, it seems that the assembly was conscious that the end of the Virginia Company was at hand.

In 1624 the company was dissolved and the guiding hand in Virginia affairs, since the founding of the colony, was removed. Virginia came directly under the control of King James I. A crisis had developed in the affairs of Virginia and many feared that an attack upon popular government would result. The Privy Council appointed a commission—the so-called Mandeville Commission—to administer the colony and to report on the advisability of issuing a new charter for the government of Virginia. On August 24, 1624, a commission was granted to Sir Francis Wyatt, who was to continue as Governor. In this commission there was no mention of a general assembly. Control in the colony now rested with the Governor and council, it would seem. At the same time John Harvey continued in Virginia to collect data for use by the Mandeville Board. It was early in 1625 that Harvey returned to England to present his report.

While these events were taking place Governor Wyatt, in the colony, continued his work of administration and government. Lacking royal orders, or even an expression of royal will, he called an assembly to meet in May 1625, although he did not call it such, as had been the case heretofore. Wyatt preferred to speak of this meeting as the "Govr Councell and Collony of Virginia assembled together." He wanted to get an expression of popular feeling regarding the fall of the company. In assembly the Governor, council, and representatives of the colony made copies of its former petitions and declarations, issued statements regarding new plans of government, and expressed the hope that men placed in charge of Virginia affairs would be men in whom the colony had confidence. The documents prepared in the "Convention" were sent to England by former Governor Yeardley, who was authorized to present at court the case of the colony.

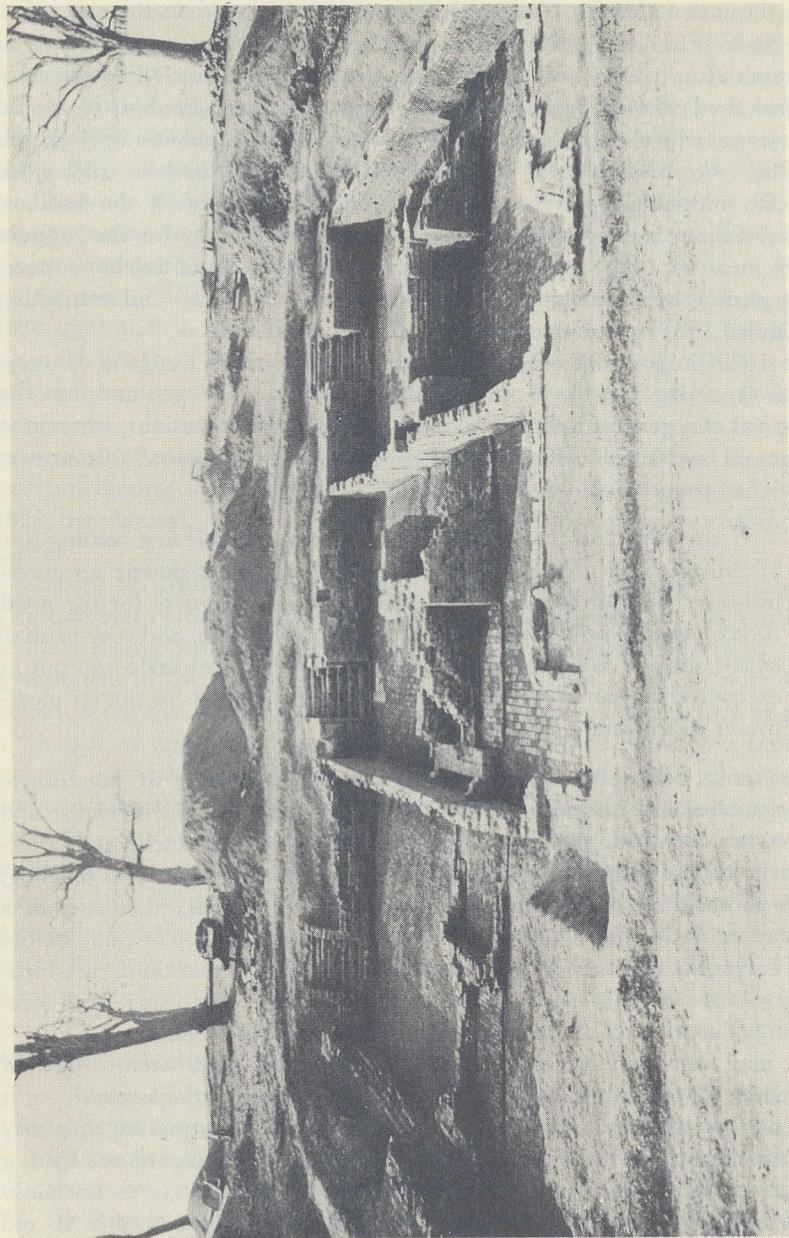
From this brief statement it is apparent that the future of the Virginia Assembly was for some time in doubt. Modern research has revealed, however, that there was little basis for the strong fear of the colonists that the King intended a direct move against their free institution. It is true that there was a drive to set up a more closely knit and a more responsible form of government in London. It is even possible that the assembly could have been rejected on the theory that it would interfere with such a system.

It is difficult, however, to support the thesis that there was a crusade afoot against free and representative institutions in America. The assembly received no formal recognition for a time, yet there is no recorded attempt to prevent its continuance.

The death of James I, in March 1625, brought the deliberations of the Mandeville Board to an end. Charles I became King of England with direct control of Virginia affairs. Not as bitter against the company as had been his father, he consented to reopen the case of the company, yet in May he, like his predecessor, rejected all the company pleas. It was not until later in 1625 that Yeardley arrived in England with the instructions of the assembly. Evidently he gained admission to the Privy Council and presented the case of the colony. Obviously he presented a strong case that was favorably received, since the council approved many of the things that he sought. On one point, however, the continuation and the confirmation of the "liberty of the General Assembly," the Privy Council was evasive, although it implied that there would be later favorable action. Despite this, Charles I did not hasten to give his approval for the assembly.

For the period 1624 to 1629, it would seem that government in Virginia fell directly to the Governor and council. They exercised judicial, executive, and legislative powers. In some of the proclamations there is reference to existing laws—those in the great charter or those passed by the assembly from 1619 to 1624, perhaps—yet other regulations seem to have emanated directly from the Governor and council. Governor Wyatt secured permission to leave his post and return to England, and Yeardley became Governor, for a second time, in May 1626. His instructions and commission, however, said nothing regarding the assembly.

It should be mentioned at this point that Wyatt, in a letter to the Privy Council before he left Virginia, suggested that the assembly be allowed to meet "in spetial cases when it was desirable to get the expression of the planters." To this the King and his council did not reply. Despite this, the suggestion must have been given consideration for when a "spetial case" arose in the form of the tobacco contract, a monopoly for the importation and sale of this commodity from Virginia, it was thought necessary to instruct the new Governor for Virginia, Capt. Francis West, in November 1627, to call an assembly to discuss the tobacco issue. This assembly met in March 1628, discussed the tobacco question, and adjourned. This meeting of representatives of the colony does not seem to have constituted a real legislative body, for it appears to have exercised few, if any, real legislative functions. As in 1625, it had been called for a specific purpose and did not go much beyond this. It differed from the Convention of 1625, as this meeting came to be called, in that it had royal sanction. It did go so far as to levy a tax to pay its expenses.



General view of the foundations of the first statehouse at Jamestown.

In the instructions to Governor Harvey, August 6, 1628, there is reference to a "Grand Assembly" to discuss and provide for a palisade from Martin's Hundred to York—across the Virginia Peninsula—for protection against the Indians. Perhaps the royal authorities thought that this would encourage wholehearted cooperation in a defense measure against the Indians. An assembly did convene in October 1629, and its chief work was the adoption of various measures of protection against the Indians, followed by a tax law affecting all freemen in the colony for the support of the measure. The assembly went beyond a discussion of defensive measures, passing legislation regarding the planting of tobacco and reenacting the law of 1623 regarding compulsory church attendance.

In 1629 propositions touching Virginia, endorsed by Sir John Harvey, asked the King for the confirmation of former privileges and for the approval of a general assembly to meet on "necessary occasions, wherein to propound laws & orders for the good government of ye people." In answer to this last proposition it was stated that:

. . . the governor may be authorized shortly after his first coming into Virginia to call a grand assembly, and there to set downe an establishmt of the Government, and ordaine lawes & orders for the good thereof, and those to send hither to receive allowance, and such as shall be soe allowed to be returned thither under the great seale and put in execucon, the same to be temporary & changeable at his maties pleasure, signified under the like great seale.<sup>4</sup>

In March 1629/30 another assembly was called to meet at Jamestown. It assembled and business began after "The oathes of alleidgeance and supremacy were administered to the Governor and Council, and afterwards to all the Burgesses then assembled"—46 in number. This meeting, much more than that of October 1629, exhibited the characteristics of a regular legislative body. At this March session various topics came before the burgesses, and legislation followed on religious questions, on fortifications and defense against the Indians, on the engrossing and forestalling of commodities, on staple commodities, and on tobacco.

It may be that the conventions of 1628 and 1629 were sufficient precedent for the reassumption of law-making powers by the assembly, or it may be the colonists assumed, on the faith of repeated promises, that they could resume the old privilege. In any case various meetings of one kind or another had been authorized by the Crown in instructions to the Governors without, it seems, stating that the assembly was renewed in its old sense of regular or periodic meetings. It is a fact that from 1629 regular

<sup>4</sup>"Virginia in 1629 and 1630," published in the *Virginia Magazine of History and Biography* (April 1900). Volume VII, page 371.

yearly meetings took place in the colony. These meetings passed legislation, and there seems to be little doubt that the burgesses assumed all the rights and privileges of regular representative bodies following the current variety of parliamentary practice. When Governor Harvey returned to Virginia in 1637 he brought instructions to call an assembly, yet these did not specify a regular-meeting legislative body. It was in the instructions to Governor Sir Francis Wyatt, returning to Virginia for his second administration in 1639, that there was the first clear and unmistakable renewal and guarantee of the assembly.

The state of Virginia's assembly from the dissolution of the company in 1624 until 1639 is difficult to trace. It appears that until 1637 the King governed Virginia through committees in the Privy Council. During this period there were various efforts to derive a system of administration for the colony. It would appear that the royal commission set up to make recommendations concerning Virginia in 1631 assumed that an assembly was functioning in the colony. Even though assemblies convened after 1628, the planters, it would appear, were none too sure of their rights in this matter.

Charles M. Andrews, in his study of the evolution of the assembly in *The Colonial Period in American History*, has concluded that the Virginia planters themselves were largely responsible for the establishment of self-government in the royal colony of Virginia. Charles I did not purposely intend to deprive Virginia of its assembly, yet he seemed reluctant to give it his seal of approval. The colonists, acting without direct or explicit consent, yet with something of an implied sanction, proceeded to keep the assembly alive through regular meetings—through action and then explanation. Over a 15-year period a precedent was established, and the King came slowly to a decision. The case was settled in Wyatt's instructions of January 1638/39 when he was instructed "Once a year to call a General Assembly and the Governor therein to have a negative voice." A similar instruction was issued to the next Governor, Sir William Berkeley, in 1641. A year later the colony expressed its satisfaction at its "freedom of yearly assemblies" under the Crown. Summing up this development, Professor Andrews has stated:

Not only was the Virginia settlement assured of its future, but what was even of greater importance for the later history of the royal colonies in America, a precedent was set according to which the people of any royal colony was assured of their right to share in the making of laws, the levying of taxes, and the taking into consideration those many other things, chiefly of a local and prudential nature, that meant most to men two and three hundred years ago. As the result of fifteen years indecision on the part of the crown and of action on the part of the colony, the principle was finally laid down that a royal colony should be, in part

at least, a self-administering community, with a governor and council appointed in England and a representative assembly chosen by the freemen or freeholders in the colony. Though self-government was in no sense of the word democratic government and though popular interest in lawmaking was never very keen during colonial times, nevertheless the very presence of such a gathering in a royal British colony in America was a factor of vast consequence in the development of American political practices.<sup>5</sup>

For 20 years before 1639 the General Assembly had been functioning in Virginia, but there was as yet no especially designated building to house this body. The colony was still without a capitol building—still without a statehouse. The explanation for this fact may lie, in part, in the early insecurity and uncertainty of the assembly itself, for it should be remembered that at an early date provisions had been made only for accommodating the permanent features of the colony, such as church and governor.

It was natural that the first meeting of the burgesses should take place in the church at Jamestown. Here was ample space, and it was the most convenient place. Without doubt, the church was considered a fitting place for the beginning of popular control in the colony. The church then standing was not that erected in 1607, rather it was a later building. Fire and frail construction meant short life for most of the early buildings at Jamestown.

For some years after 1619 the burgesses evidently continued to hold their sessions in the church. At the first meeting a precedent had been set for later meetings here. Besides, it seems that the church continued to be the best and most convenient place of meeting. In the winter of 1631–32 divine service and the meeting of the assembly were both identified with the same room. This is apparent from a quaint order that reflects the spirit of the time:

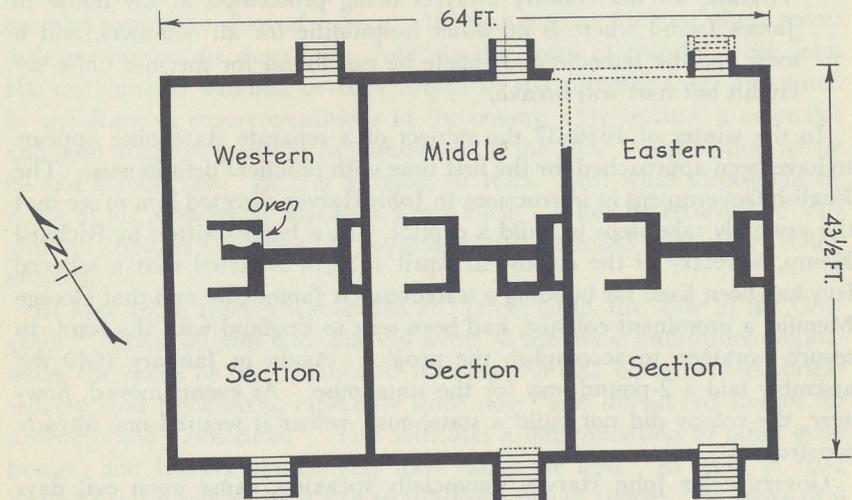
*It is ordered,* That all the counsell and burgisses of the assembly shall, in the morninge, be present at devine service, in the roome where they sitt, at the third beateing of the drum, an hower after sun rise, upon the penaltie of one shillinge to the benefitt of the marshall at James Citty; and yf any shall absent himselfe from the assembly, to pay 2s. 6d. to the same use; and yf any shall after neglect, to be fined by the whole bodie of the assembly.<sup>6</sup>

After this date there is strong indication that some of the sessions of the burgesses convened in the Governor's house at Jamestown. As early as

<sup>5</sup> Charles M. Andrews, *The Colonial Period of American History*. New Haven, 1935. *The Settlements*, part I, pages 204–205.

<sup>6</sup> *Statutes at Large: Being a Collection of All the Laws of Virginia*, edited by William Waller Hening. Richmond, 1809. Volume I, page 162.

the time of Sir Thomas Gates (1611–14) there was a house at Jamestown set aside as the Governor's residence, commonly called the "country house." Before 1618 this building had been repaired and enlarged. It was to his house that the Governor called his council for periodic meetings to act on affairs of the colony. The "Counsell Chamber" mentioned in the minutes of the General Court of the colony (the Governor and his councilors) in



A plan of the foundations of the first statehouse at Jamestown.

1625 must have been in reference to some designated place in the Governor's house. The council records of this period form good proof that separate meetings for the transaction of its several kinds of business had not become necessary. Executive and judicial items were passed on in a single session. In matters of legislation the council convened with the burgesses as a part of the assembly. When, in the early years after 1619, there was no assembly the Governor and council acted alone in these matters.

Council meetings, it would seem, continued to be held in the Governor's house, whether he was residing in his official or his private home. It was not until the arrival of Sir William Berkeley in 1641 that the home authorities felt it necessary to order that provisions be made for a place for council meetings, especially when the council was sitting as the General Court for "dispatching of public affairs and hearing of causes." It can readily be understood that the Governor was at considerable expense, since his house was the center of colonial government with its council meetings, court meetings, and even, on occasion, assembly meetings. Aside from all of this he was the host to all important visitors of state to Jamestown. In

May of 1632 it caused Sir John Harvey, then Governor of the colony, to protest in pleading terms to the Lords Commissioners in England:

. . . I conclude with my humble prayers unto your honours to take into your compationate cares my nowe almost three years service upon the place without any meanes or annual entertainment to support me great expence, who may be as well called the hoste as gouvernor of Virginia, all the country affayres being prosecuted at my house in James Island where is no other hospitalitie for all commers, and if some speedie remedie and reliefe be not found for me, not onlie my creditt but hart will breake, . . .<sup>7</sup>

In the winter of 1636–37 the subject of a separate statehouse appears to have been approached for the first time with practical definiteness. The English Government in instructions to John Harvey directed him to see that the assembly take steps to build a capitol. In a letter written by Richard Kemp, secretary of the colony, in April 1638, it is stated that a tobacco levy had been fixed for building a statehouse at James City and that George Menifie, a prominent colonist, had been sent to England with the funds to secure workmen to accomplish the project. Again in January 1640 the assembly laid a 2-pound levy for the statehouse. As events moved, however, the colony did not build a statehouse, rather it secured one already constructed.

Governor Sir John Harvey, financially speaking, came upon evil days after he was replaced as Governor in 1639. In April 1640 the court in Virginia took action to provide for Harvey's creditors, promising sale of his property. The next month Harvey arranged to have his estate in York County and in Jamestown sold. It was on April 7, 1641, that the Governor, council, and burgesses for 15,700 pounds of tobacco purchased from him for the colony:

*all that capital message or tenement now used for a court house late in the tenure of said Sir John Harvey, Knt., situate and being within James City island in Virginia with the old house and granary, garden and orchard, as also one piece or plot of ground lying and being on the west side of the said capital and message as the same is now enclosed.*<sup>8</sup>

In this manner the colony acquired what must have been a rather pretentious structure in Sir John Harvey's residence, with another building adjoining. This place, enclosed by palings, as were many other homes in

<sup>7</sup> A letter from John Harvey to the Virginia Commissioners, May 27, 1632, published in the *Virginia Magazine of History and Biography* (October 1900). Volume VIII, page 150.

<sup>8</sup> *Minutes of the Council and General Court of Virginia, 1622–1632, 1670–1676*, edited by H. R. McIlwaine. Richmond, 1924. Pages 497–498.

Jamestown, had a garden and orchard and on the west side some undeveloped land as well. In all, it must have been one of the better homes in town, in full conformity with the many regulations about fences, fruit trees, vines, and gardens.

Harvey's house, apparently a brick structure, was already old in associations, being locally known as the "capital message or tenement" and now in use as the courthouse. This indicates that the house was not new, but had seen some years of service. If this were not the case, there seems little reason for the description "old" in the order of transfer. Sir John Harvey came to Virginia in 1624 as one of the commissioners appointed by the King to report conditions in the colony. He became a councilor and soon acquired property at Jamestown in the New Town section where he had a residence. He left Virginia in 1625. Just what disposition he made of his property at that time is not clear. When he returned to Virginia in 1630, as Governor, he seemingly settled himself in another section of town.

In May 1630, Harvey was settled at "James citty, the seate of the Governor." Some months later Harvey wrote to the home authorities emphasizing the needs of the colony and stressing the lack of carpenters, brick-makers, and bricklayers, especially since now "wee intend our houses for decencye and Comoditie." This indicates a determination to build good houses; and Harvey himself may have taken the lead. At least, in 1632 he had a fairly commodious and established place of abode. He spoke of it as the point where all the affairs of the colony were conducted, and as the sole point of hospitality "for all commers." The substance of this claim, with even greater emphasis, was repeated by Capt. Thomas Yong who visited Jamestown in 1634.

The charge of this gentleman [Governor Harvey] is extraordinary in regard that this seate of James Town hath in it no other place of receipt, but only the Governors owne house, wherein he is continually at excessive charges in his housekeeping, as well as entertayning the whole councell and their retinewes, which are not small, at all times, whensoever any occasions either of the King's or Countrye's service requires. Their attendance, and that sometimes for a weeke or fortnight, nay, sometimes for a month together, which meetings grow dayly more and more frequent, as the Colony increases in number and so consequently in buisnesse both for the State & Country; this house also is the randevouz of all sorts of strangers, who have any occasion of resort thither upon any buisnesse. . . .<sup>9</sup>

<sup>9</sup> "Captain Thomas Yong's Voyage to Virginia, and Delaware Bay and River in 1634," published in the *Collections of the Massachusetts Historical Society, Fourth Series* (Boston, 1871). Volume IX, pages 112–113.

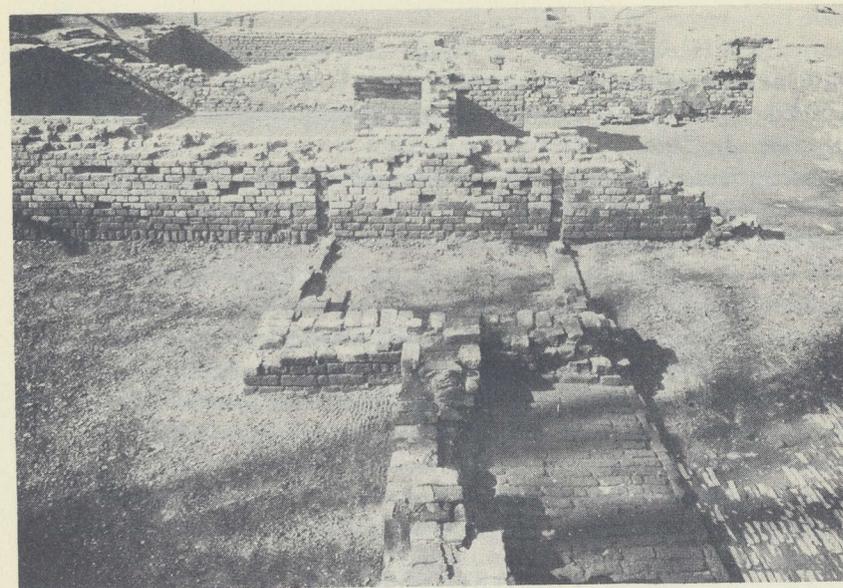
Thus his house was the focal point of government and the center of social life at Jamestown.

Sir John Harvey, whether because of his personal nature, his own view or interpretation of government, or because of the severe opposition that confronted him, managed to become thoroughly disliked throughout the colony. His high handed and autocratic methods arrayed even his council against him. Eventually, in April 1635, a protest meeting was held in York County. This enraged Harvey, and he moved to take counter measures. It was to his house at Jamestown that he called a council meeting, only to find that his council would not approve the measures of reprisal that he recommended. During one of these council sessions Harvey was forced to realize that the wrath of the people had been aroused against him. He was a virtual prisoner in his own house, and his council no longer stood with him. This became clear when, while making a threat of arrest against some of the councilors, Dr. John Pott, one of the council, moved near to the door of the room and at a signal had about 50 armed musketeers appear from concealed positions back of the fence surrounding the house. Obviously, there was little that the Governor could do. Harvey himself reported this incident:

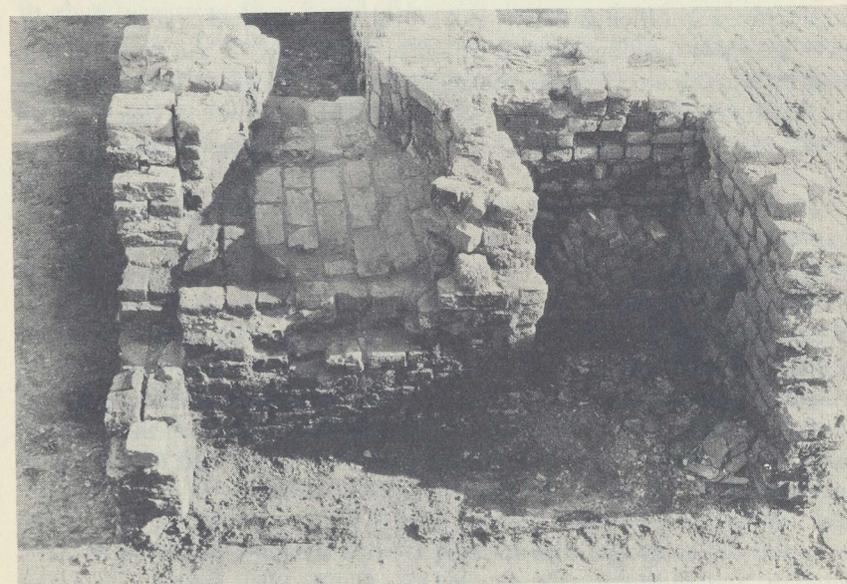
. . . That upon the 28 day of Aprill last which was the time when they were to meet for his Majesties said service, the said Mathewes, Utye, Farrer, Pearce, Minefie, and John Pott, came all armed and brought with them about 50 Musketeers, and besett mee in my owne house, which was the place which I appointed for our meeting . . . [Heated discussion followed] . . . upon this Uproare John Pott, (who by the said company was pleased at the doore of said house) with his hand gave a signe and immediatly the Musketeers which before that time lay hid, came presently running with their pieces presented towards my house; and when one of my servants saw them coming so hastily towards my house, he asked the said Pott what the said Shott meant; he said unto him; Stirr not for your life; and when they were come neare to him, he said to the Musketeers: Stay there untill there be use of you; and there upon they retired again . . . nor had I meanes or power to raise any force to suppress this meeting they having restrayned me, and sett a guard upon me.<sup>10</sup>

In the end the council moved to depose the Governor, naming John West to take over the post until the King's pleasure was known. A meeting of the assembly, in May, approved the work of the council, and Harvey was sent to England to answer charges placed against him there. In this he must

<sup>10</sup> "Declaration of Sir John Harvey," published in the *Virginia Magazine of History and Biography* (April 1894). Volume 1, pages 426-427.



Interior of the statehouse foundations looking from east to west. Note Dutch brick floor in lower right corner.



Detail of built-in oven in eastern section of statehouse.

have been successful, or perhaps the King wanted to vindicate his choice, for in 1637 Harvey returned to Virginia as Royal Governor. From this incident it is evident that Virginia's burgesses and council, when sufficiently aroused, stood ready to uphold the right of the people to order their own government.

Harvey returned early in 1637 and resumed his duties as Governor, taking up residence in his own house. This presaged an attempt to inaugurate a period of development for Jamestown. The Governor reported in January 1638 that as a result of an act passed by the assembly in 1637 the secretary of the colony, Richard Kemp, had constructed a brick house, the "fairest" yet known in the colony; others had built framed houses and stores, and much land had been patented. Evidently, Harvey continued to live in his own residence even after he was replaced as Governor in 1639. He was still living there in April 1640 when the court, arranging for the sale of his property, guaranteed to him the enjoyment of the premises of his house and grounds at Jamestown during his life. Just where he was on April 7, 1641, when the colony purchased this place, is not clear.

#### FIRST STATEHOUSE

In a relatively short time this double building, the western section of which became the first statehouse, was officially known as the capitol building. It was referred to in the land records and became a landmark at Jamestown. The fact that this structure had been used for court meetings before acquisition and had in all probability witnessed council meetings, even assembly meetings, over a period of years, may be the reason that it had already become fixed in the minds of the colonists. The acquisition of this statehouse was merely a change in title and not so much one of actual use. It evidently remained the colony's statehouse for the next 14 years.

The colony did not long retain actual title to the statehouse. The assembly in June 1642 presented to the Governor, at that time Sir William Berkeley, as a free and voluntary gift the two houses and orchard belonging to the colony. It seems reasonable that the Governor should have a residence here, and it must have been understood that council and assembly should convene here on regular occasions. This apparently had been the case when Harvey was Governor, before the colony had officially acquired a single structure for use by the colony. As to the actual use of the building, such as distribution of space and rooms regularly designated for particular meetings, little is known. To this two-building structure, at some unknown date, Sir William Berkeley added a third. He added a brick house to the west end of the group, thus forming a brick structure made up of three separate and distinct sections. On March 30, 1655, Berkeley sold this to the then Governor, Richard Bennett, for 27,500 pounds of tobacco.

Evidently the first statehouse was burned, partially burned, or otherwise rendered unserviceable sometime in the early part of 1656, for in December of that year the assembly enacted legislation to cover the expense of the court and committees incurred when they met in privately owned buildings. Besides, an additional act set aside 20,000 pounds of tobacco to cover the cost of accommodating the "Governor and Council at James Cittie during quarter courts and Assemblies." Even before this legislation, however, there is evidence that another statehouse—the second statehouse—had been or was being provided.

From 1641 until 1656 it can be assumed that the first statehouse functioned as the center of government for the colony—the place where assemblies met, courts were held, and council sessions were called. Although considerable activity must have taken place before 1641, during the interval that followed all important events of the day must have been associated with this brick statehouse. From it must have come the "Remonstrance of the Grand Assembly" against the recharter of the old company in 1642, the repeated legislative acts to encourage western exploration, and heated reverberations of the Virginia-Maryland boundary dispute. Many routine matters must have been discussed here by the representatives of the colony—regulation of religious matters, the organization of the judicial system, the establishment of county boundaries, the authorization of ferries and bridges, regulation of trade (both internal and external), and taxation, to name but a few. Without doubt, the action against non-conformists in regard to church matters, that forced a later governor and owner of the statehouse, Richard Bennett, to leave the colony, echoed here. It was in 1647 that the assembly passed a law requiring all ministers to read prescribed prayers, thus launching the attack. Perhaps the surrender of Virginia to the Parliament of England in 1652 was one of the most stirring events associated with this structure.

Sir William Berkeley was most loyal to the Crown, and the colony went far in supporting his position, yet in the end, when commissioners appointed by Parliament appeared before Jamestown in the ship *Guinea*, Virginia surrendered to the Commonwealth of England, despite Berkeley's plans for defensive measures. The terms arranged for the surrender were quite liberal. As agreed upon, Virginia was to enjoy all of her old privileges and to be free of taxes and customs, except such as were to be imposed by the assembly. In regard to popular control the colony had more freedom than heretofore. The assembly became the chief organ of the government with full power to name the Governor and his council. The assembly proceeded to name and elect Richard Bennett as Governor, with William Claiborne as Secretary of State, both men being adherents of Cromwell. While these momentous changes were taking place, the statehouse must have been the busiest spot in the colony.



These objects were among the many taken from the location of the first statehouse.

This first Virginia statehouse also served as the official residence, and private home as well, of three well known Virginia Governors—Sir John Harvey, Sir William Berkeley, and Richard Bennett. Sir John Harvey, who served two terms as Governor in Virginia, is better known perhaps for his autocratic and arbitrary methods than for his more constructive accomplishments. Sir William Berkeley, an outstanding figure in the history of the colony, served long in Virginia and for much of the time wisely. He came to the colony, a well traveled Oxford graduate, in 1642. He remained Governor until Virginia submitted to Parliament and then withdrew to his plantation at Green Spring, near Jamestown. In 1660 the

assembly called him from retirement, naming him Governor for a second time. After the restoration, Charles II renewed his commission as Royal Governor. He was to remain as Governor until the events of Bacon's Rebellion would lead to his recall.

The third Governor to use and own a part of the statehouse group was Richard Bennett. He had come to Virginia in 1621 to take charge of his uncle's plantation in present Isle of Wight County, Virginia. In the colony he became active in political affairs and emerged as a councilor in 1639. He was a Puritan in sympathy, however, and in 1649 he felt it necessary to leave Virginia because of his religious affiliations. He took up a short residence in the neighboring colony of Maryland and was later named as one of the commissioners for the reduction of Virginia. The assembly named him Governor, a post which he held from 1652 until March 1655. At that time he was sent to England as agent.

Even though the first statehouse ceased to function as the colony's capitol in 1656, the interesting history of the house did not cease. The place was renovated and again used as a residence until fire wrecked it in 1670. Linking the former owners with the later owners of this group of buildings, it reads like a register of old James River families: Harvey, Berkeley, Bennett, Woodhouse, Talbot, Bland, Marable, Randolph. Swan, Ludwell, Stegg, Bacon, and Sherwood.

It is from later transfers that it is possible to glean many of the known facts about the structure, such as its size, its use, how it was eventually destroyed, and the identification of the men who owned it. A short quotation from a deed of conveyance for the "westernmost" house of the group from Henry Randolph to Thomas Ludwell on April 7, 1671, will make this clear:

*one message or tenement of brick building of 40 feet long and 20 feet wide being the message of Pt. [part] of that fabrick pile of building which contains three tenements, the middlemost whereof was the old State house which message was formerly in the occupation of Richard Bennett Esqr situate, lying and being on the river side in James city. . . .*<sup>11</sup>

#### DISCOVERY OF FOUNDATIONS OF BUILDING

There was thus much precise factual material available regarding the statehouse before its ruins were found. It attracted considerable attention when at various intervals from 1932 to 1935, in piecemeal fashion, the foundations of a building were uncovered at Jamestown having three separate sections (an east, a west, and a middle section) located by the river side

<sup>11</sup> *Minutes of the Council and General Court*, pages 514-515. See note 8 for full reference.

and in the general area where it was thought the first statehouse was erected. Naturally, the supposition was that the ruins of this building had been found. When the architectural pattern of the building, as well as the relics and artifacts found in association with it, proved to be seventeenth century; and especially when dimensions checked very closely with known dimensions, the case was strengthened further.

It has been reported that as early as 1901, when Mr. and Mrs. Edward E. Barney, then owners of much of Jamestown Island, were conducting random explorations in the town site on the hunt for any relic or landmark to be found, they encountered the foundations of a building. This building proved to be that now identified as the first statehouse, although they were unaware of this identification at the time. The report is that they dug into the eastern section of the building, encountering a fireplace where there were fine feathery ashes still in place. In the center of the fireplace was a three-legged pot containing bones, as if a meal had been stopped in the course of preparation.

In 1932 George C. Gregory conducted much more careful research at Jamestown. After studying the town site, using what historical data he could collect, he tentatively concluded on the location of the statehouse. It was while exploring on the ground that he encountered the actual foundations of a building which he identified as that which he was seeking. His work was extended until he had exposed the general outline of the foundations and carried out limited excavations.

#### ARCHEOLOGICAL STUDY OF AREA

In 1934 Jamestown Island, excepting the area administered by the Association for the Preservation of Virginia Antiquities, became a part of Colonial National Historical Park. Within a short time the Jamestown Archeological Project, set up to make an archeological study of seventeenth century Jamestown, began excavation in the area. It was in the interval between September 1934 and February 1935 that the foundations of the first statehouse, as identified by Mr. Gregory, were completely excavated.

The foundations of a three-section structure approximately 40 feet long and 60 feet wide were uncovered, each section appearing as a building 40 feet long and 20 feet wide, with no visible connection with the others excepting common adjoining walls. One section was toward the east; one, toward the west; and between them was a middle section. The orientation and size conformed to known facts. This was only a part of the check of the actual remains with documentary facts. Architectural evidence indicated that the western section was not a part of the original house—the middle and east sections—but was a later addition. It will be recalled that Berkeley built a western section to the first statehouse. Still

another fact is that the distance from the river to the building checked with that given in land records. After a close examination of the house the architect at the project concluded that the plan was similar to the two-room type of seventeenth century New England house, a plan based on the seventeenth century English house. He continued, however:

The plan of this brick foundation by the shore of old Jamestown is unique in the annals of early American architecture. The writer has seen no other early plan even remotely resembling this one. For its prototype possibly one has to look across the ocean to those picturesque towns and villages of seventeenth century England where the dwellings stand row on row with their long sides adjacent.<sup>12</sup>

With a preponderance of seventeenth century materials, evidences of seventeenth century workmanship and plan, and many seventeenth century relics, there was left little room to doubt the early construction of this "stack" of buildings. Originally, it stood a row of brick buildings done in English bond, joined on their long side and having a tile roof and casement windows.<sup>13</sup>

The interior arrangement of each section is essentially the same. There are two rooms in each, divided by fireplaces and foundations of fireplaces set back to back. One room has an oval-shaped brick oven, probably used for baking. A passageway connects the two rooms of each section, yet the sections themselves appear unconnected from the inside. These brick paved basement rooms, one paved with Dutch bricks laid on edge, the others with English bricks, are each connected with the outside by brick steps leading to the ground level. Charred sills and blackened roof tile indicate destruction by fire. Plaster fragments, still clinging to the otherwise bare walls, indicate that once these rooms were plastered.

In and around the house many things were uncovered—fire tongs, ladles, a hatchet, candle snuffers, a napkin ring, a chamber pot, dishes, jugs, vases, bottles, and pipes. Objects such as these indicate long use of the building as a residence. Much hardware was found associated with the structure. There were many pairs of hinges, some showing the Dutch influence, some like those in use in seventeenth century England, and half a "cock's head" hinge dating in design from early Roman times. Many pintles still remained in the eyes of the hinges. Two fragments of wrought iron lattice casement windows were found in the ruins. They closely resembled those in use in England at the time. Glass fragments all around

<sup>12</sup> Henry Chandlee Forman, Report of Architectural Remains, Unit B, Sub-Units 89 & 97, Jamestown Island, Virginia, May 4, 1935. Page ii. This report is a part of the record of the Jamestown Archeological Project at Jamestown.

<sup>13</sup> Complete drawings of the remains of this building were prepared, with notes, and have been placed in the Library of Congress by the Historic American Buildings Survey.

were mostly of an olive green color. Some of the fragments when fitted together formed diamond-shaped window panes. One casement window latch, or fastener, came to light. There were many locks and lock fragments, one of them a heart-shaped cabinet lock and one, a 12-inch lock bolt. A cross-shaped keyhole dominates one lock-plate. There were hand-made nails in quantity, along with hooks, footscrapers, spikes, and staples. Some paving tile was unearthed and an abundance of roofing tile, some rounded, some curved, ranging in color from chocolate brown to light



Interior wall of first statehouse foundations showing plaster fragments.

yellow or cream. The plaster fragments on the walls were of poor quality oyster-shell lime and marl. It all paints a vivid picture of seventeenth century workmanship, materials, design, and architecture in general.

From design and use the statehouse must have been for many years one of the best known and most frequently used buildings in the town. While serving as the statehouse it became a landmark, and for almost a quarter of a century after it reverted to exclusive private use; in fact, even after its final destruction it was still thought of as such. For much more than a decade it satisfied the major needs of the assembly. By 1656, when the building was no longer in use as a statehouse, the assembly, born in 1619, had proceeded well on its course of evolution as a major feature of colonial government.

It seems apparent that by the close of this period Virginia's General Assembly had become a bicameral body in reality as well as in theory,

each body meeting and acting separately. The upper house, the council, named by the King, was nominally limited in membership to men of wealth and position. In this house had come to rest the powers of concurrence, rejection, or amendment of the laws originating in the lower house, the House of Burgesses. The lower house, made up of representatives apportioned to the counties and elected now by limited franchise, possessed the real legislative power. The tendency was for each locality to send its best and most influential men to the assembly. These men, jealous of their rights, had already with dogged determination claimed and held, for the most part, the power over taxation, the right of passing on their own members, and the right of certain freedom from arrest for burgesses while the assembly was in session. Since Virginia was a new country, wealth was limited, and the burgesses, unlike the members of the House of Commons in England, the model for the Virginia body, ordered their expenses paid during assembly meetings. Philip Alexander Bruce, speaking of these early legislators, had this to say:

Although the Burgesses were distinguished by a strong spirit of loyalty to England and the throne, nevertheless they had a clear conception of their rights, and never lacked the courage to maintain them against even the King himself.<sup>14</sup>

In organization the House of Burgesses had developed many of the features common to similar bodies today. Although still in evolution the house by 1656 had many of the officers and committees necessary to a legislative body. The speakership was by far the leading office, and it was normally filled by selection in the house. The clerk likewise owed his selection to the burgesses. Other officers included a sergeant-at-arms, door-keepers, and a chaplain. Committees, used even in the first assembly, came to include the committee for private causes, that for the review of acts, that of the levy, and others whenever necessary. Much of the legislative work was done in committee.

The acts of the assembly became the law of the land when approved by the Governor. If enactments later were annulled in England that then nullified their continued operation in the colony. As early as 1631, it was required that the acts of the assembly be published in one form or another in all parts of the colony so that all could know the terms of new legislation.

It was in the period of the Commonwealth that the power of the house reached its zenith in the seventeenth century. At this time the house managed the affairs of the colony with few instructions from the mother

<sup>14</sup> Philip Alexander Bruce, *Institutional History of Virginia in the Seventeenth Century*. New York, 1910. Volume II, page 489.

country. Appointment of both the Governor and his council rested here, and so extreme were the claims of this body that it denied the long established right of the Governor to dissolve it. In one instance, in electing a Governor, the burgesses formally declared that they invested him with all rights and privileges incidental to the position. In 1656 the assembly went so far as to appoint all the justices of the county courts and the principal military officers, hitherto one of the usual prerogatives of the Governor.

After the restoration of royal authority in 1660, there was a lessening of the power held by the burgesses, yet the development of this body continued. The significance and importance of the elected representatives of the people never faded from public conscience. Attempts to curb their power came from time to time, yet from these struggles they emerged victorious for the most part. In the first half century of its history, the colony of Virginia had developed a full-fledged assembly with an elected chamber where great legislative power rested. Much of this early development was associated with the colony's first capitol building—its first statehouse. Truly this structure stands as a landmark in the growth of popular government and democracy in America.



Earthenware baking dish, crock, three-legged dish, glass wine bottle, and slipware cup, or mug, uncovered during the excavation of the first statehouse.

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## APPENDIX

### MEMBERS OF THE FIRST ASSEMBLY IN 1619

BOYS, JOHN—a representative for "Martin's hundred."  
BUCK, REVEREND RICHARD—officiating clergyman for the assembly.  
CAPP, WILLIAM—a representative for "Kiccowtan."  
DAVIS,<sup>1</sup> THOMAS—a representative for "Capt. John Martin's Plantation."  
DOWSE, THOMAS—a representative for the "citty of Henricus."  
GIBBES, LIEUTENANT JOHN—a representative for "Captaine Warde's plantation."  
GOURGAING, EDWARD—a representative for "Argall's guiffe."  
GRAVES, CAPTAIN THOMAS—a representative for "Smythe's hundred."  
JACKSON, JOHN—a representative for "Martin's hundred."  
JEFFERSON, JOHN—a representative for "Flowerdieu hundred."  
JORDAN, SAMUEL—a representative for "Charles citty."  
LAWNE, CAPTAIN CHRISTOPHER—a representative for "Captain Lawne's plantation."  
MAYCOCK, SAMUEL—a councilor.  
PAWLETT, CAPTAIN THOMAS—a representative for "Argall's guiffe."  
PIERCE, THOMAS—sergeant of the assembly.  
POLENTINE, JOHN—a representative for the "citty of Henricus."  
PORY, JOHN—speaker of the assembly and councilor.  
POWELL, CAPTAIN NATHANIEL—a councilor.  
POWELL, CAPTAIN WILLIAM—a representative for "James citty."  
ROLFE, JOHN—a councilor.  
ROSLINGHAM, ENSIGN EDMUND—a representative for "Flowerdieu hundred."  
SHARPE, SAMUEL—a representative for "Charles citty."  
SHELLY, WALTER—a representative for "Smythe's hundred."  
SPENSE, ENSIGN WILLIAM—a representative for "James citty."  
STACY,<sup>1</sup> ROBERT—a representative for "Capt. Martin's Plantation."  
TUCKER, CAPTAIN WILLIAM—a representative for "Kiccowtan."  
TWINE, JOHN—clerk of the assembly.  
WARDE, CAPTAIN JOHN—a representative for "Captaine Warde's plantation."  
WASHER, ENSIGN—a representative for "Captain Lawne's plantation."  
WEST, CAPTAIN FRANCIS—a councilor.  
YEARDLEY, SIR GEORGE—Governor and councilor.

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<sup>1</sup> The representatives for Martin's plantation were not allowed to take their seats in the assembly.



UNITED STATES DEPARTMENT OF THE INTERIOR  
J. A. KRUG, Secretary

NATIONAL PARK SERVICE  
NEWTON B. DRURY, Director