

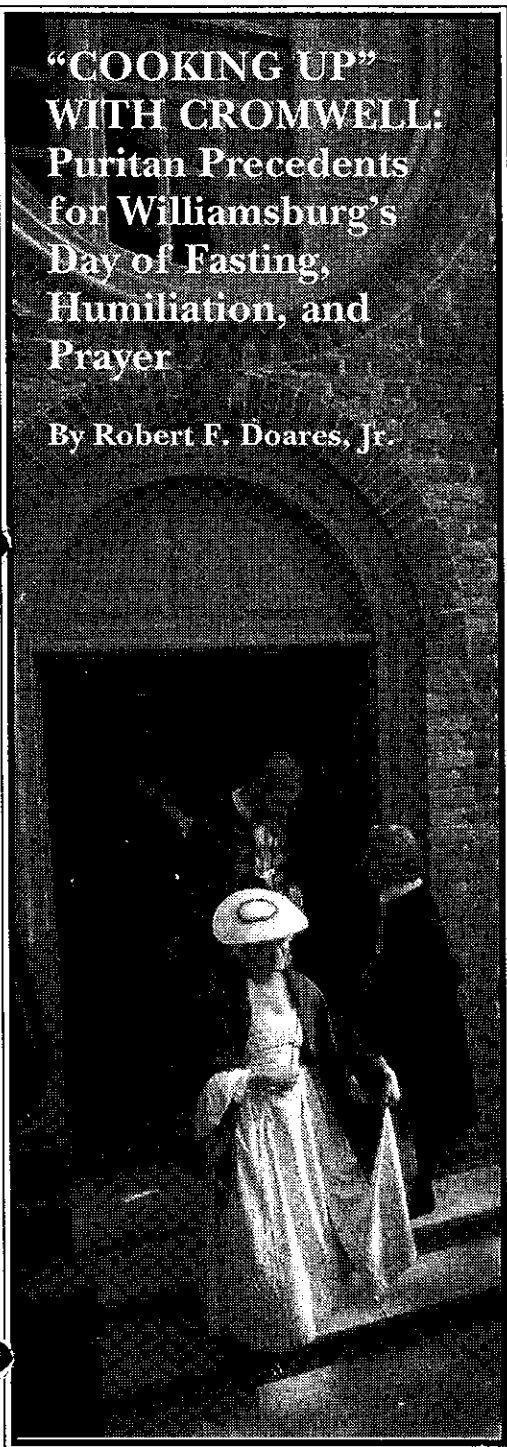
# Interpreter

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**"COOKING UP"  
WITH CROMWELL:  
Puritan Precedents  
for Williamsburg's  
Day of Fasting,  
Humiliation, and  
Prayer**

By Robert F. Doares, Jr.



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Exactly three months after her February 1774 arrival in Williamsburg from Great Britain, Lady Dunmore, wife of Virginia Governor John Murray, fourth earl of Dunmore, was enjoying perhaps one of the most ironic entertainments of her career as a famed socialite. On Friday evening, May 27, members of the House of Burgesses gave a sumptuous ball at the Capitol to welcome Lady Dunmore and her children to Virginia.

What more delicious moment could be found in all of Williamsburg's history, to be a fly on the wall—or on the refreshment table, for that matter? In the midst of the formalities and fancy stepping of this Friday evening, the participants had to be thinking of the political turmoil of the week. Just the day before, Lord Dunmore had dissolved the House, ejecting the burgesses from the very building in which they now feted the governor and his family. What is more, that very Friday morning, the day of the ball, the disbanded burgesses had assembled in rump session at the Raleigh Tavern and pledged themselves to an anti-British non-importation association.

Delicious, indeed!

The governor's precipitous dissolution of the lower house of the Virginia General Assembly came as retaliation against the burgesses' unanimous passage on that Tuesday, May 24, of a resolution to observe Wednesday, June 1, 1774, as a day of fasting, humiliation, and prayer. The burgesses had passed the fasting resolution to protest the British Parliament's imminent closing of Boston harbor in response to the now famous Tea Party of December 1773. Lord Dunmore had reacted swiftly and decisively.

News of the fasting resolution and the governor's dissolution of the House spread rapidly. On Sunday, preachers all over Virginia admonished their congregations to

keep the coming Wednesday in solemn observance. The day of fasting, humiliation, and prayer thus became a colony-wide event. In support of the resolution of solidarity with the Massachusetts colony, Williamsburgers packed Bruton Parish Church on that first day of June, the day that the naval blockade of Boston was to begin. George Washington recorded his own fasting and attendance in his journal that day. The next day the *Virginia Gazette* reported:

It is with great pleasure we assure our readers that every inhabitant of this city, and numbers from the country, testified their gratitude, in the most expressive manner, by attending the worthy and patriotic SPEAKER at the court-house, and proceeding from thence, with the utmost decency and decorum, to the church, where prayers were accordingly read, and a sermon, suitable to the important occasion was delivered, by the reverend Mr. Price, from the 103d psalm, and 19<sup>th</sup> verse. The Lord hath prepared his seat in Heaven, and his kingdom ruleth over all.

Despite the *Gazette's* implication to the contrary, not everyone in Williamsburg approved of the occasion. Loyalist John Randolph, member of the Council, viewed somewhat cynically the religious trappings of what he regarded as a purely political ploy on the part of those patriots who planned it.

The writings of Thomas Jefferson, one of the chief instigators of the fast day, cast some light on the motives of the planners of the event. According to Jefferson, when news of the punitive Boston Port Bill arrived in Williamsburg during the 1774 spring session of the General Assembly, he and several other burgesses, including Patrick Henry, Richard Henry Lee, and Francis Lightfoot Lee, agreed that it was necessary to "boldly take an un-

equivocal stand in the line with Massachusetts.

This committee of radical burgesses met in the Council Chamber. Jefferson wrote later of this meeting: "We were under conviction of the necessity of arousing our people from the lethargy into which they had fallen as to passing events; and thought that the appointment of a day of general fasting & prayer would be most likely to call up and alarm their attention." He further recorded: "To give greater emphasis to our proposi-

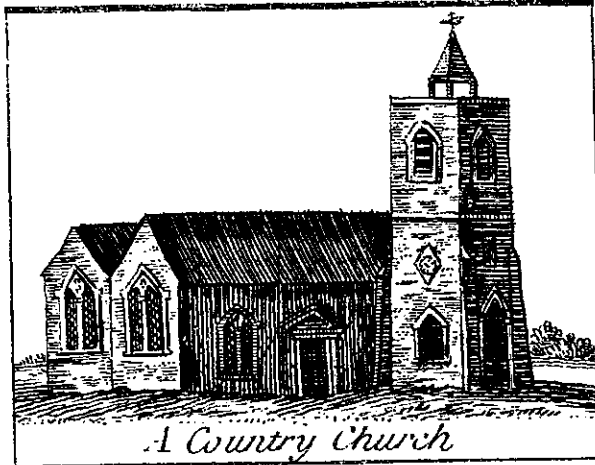
tion, we agreed to wait the next morning on Mr. [Robert Carter] Nicholas, whose grave & religious character was more in unison with the tone of our resolution and to solicit him to move it. We accordingly went to him in the morning. He moved the same day; the

1<sup>st</sup> of June was proposed and it passed without opposition."

#### Insult to Injury

It is little wonder that Lord Dunmore dissolved the House two days later. In a letter to Lord Dartmouth in London, dated May 29, 1774, Dunmore explained his chief motivation for disbanding the burgesses. He declared his suspicion that the burgesses intended to inflame the populace with this fast day in order to make the people receptive to further, more damaging, resolutions of the House. Besides that, though he made no mention of it in this letter, it must have galled Dunmore that the legislators had preempted royal prerogative in calling a solemn fast—an event usually authorized only by the Crown, or a representative of the Crown, or by the Church. Dunmore undoubtedly believed that the resolution of the burgesses was in essence a bold and calculated act of political defiance.

Why, then, did Jefferson and his committee choose to stage their political protest such a religious format? Were there any precedents for such a design?



The practice of praying and fasting—not eating solids or abstaining from certain foods over a period of time—has been, of course, a feature of many religions since time immemorial. Many colonial Virginians themselves observed certain seasonal fast days as recommended by the Church of England in the *Book of Common Prayer*. We also know that ecclesiastical and civil authorities both in Britain and in America occasionally appointed special fast days for one of two purposes: to implore God’s mercy in times of sinfulness or communal distress or to ask God’s blessing on some important undertaking.

On several occasions during the colonial period, Virginia governors recommended fast days throughout the colony. The instructions that accompanied these proclamations to the various plantations directed the people to fast on certain days and to attend church, where ministers would deliver appropriate prayers, petitions, and sermons asking for God’s intervention and mercy. On these days, communities were to combine fasting with prayer and “humiliation,” thus offering repentance for God’s wrath in sending various plagues and disasters.

Jefferson’s committee could have found plenty of precedents for such days of fasting and humiliation in the Executive Journals of the Council of colonial Virginia. These records contain numerous proclamations for public fasting days by various governors and acting governors for many purposes. In 1709, Edmund Jennings and the Council decreed: “Whereas it hath pleased God to afflict diverse parts of this Country with a raging pestilential Distemper. It is ordered that Wednesday the 11<sup>th</sup> of January be set apart as a day of publick fasting and humiliation to deprecate the wrath of Almighty God.” In September 1711, during trouble with the French, Governor Spotswood’s administration carried out an order of Queen Anne for a day of public fasting and humiliation on

the American continent “to implore the blessing of Almighty God on her Majesty’s Arms employed for the Reduction of Canada.” In 1727, acting governor Robert Carter proclaimed May 10 as a fast day in Virginia, because “the Inhabitants of this Colony have for divers months past been visited with a violent sickness & very great mortality.” Likewise, in 1729, when an epidemic of insects threatened Virginia’s harvest, Governor Gooch wrote to the Bishop of London: “We were again this Year under dreadful Apprehensions from the Caterpillars, for which I appointed a Fast.”

Surprisingly, these very accessible precedents and a number of others from American colonial history seem to have garnered little interest on the part of the committee that planned and rationalized the 1774 fasting event. Jefferson mentioned in his autobiographical account simply that no ex-

ample of such a fast day existed since “the days of our distresses in the [French and Indian] war of 55, since which time a new generation had grown up.”

Indeed, it was not to specifically American precedents that the committee turned in planning its protest action. Jefferson and the others sought inspiration rather from the period of the English civil wars (1642–51), a century and a quarter earlier. Jefferson later wrote of the May 23 secret committee meeting:

With the help therefore of Rushworth, whom we rummaged over for the revolutionary precedents & forms of the Puritans of that day, preserved by him, we cooked up a resolution, somewhat modernizing their phrases, for appointing the 1<sup>st</sup> day of June, on which the Port bill was to commence, for a day of fasting, humiliation & prayer, to implore heaven to avert from us the evils of civil war, to inspire us with firmness in support of our rights, and to turn the hearts of the King & parliament to moderation and justice.

The Rushworth to whom Jefferson alluded



*King Charles I.*

was John Rushworth (1612–1690), an English historian whose 7-volume *Historical Collections of Private Passages of State*, covering the period from 1618 to 1649, remains a valuable source of information on events leading up to and during the English civil wars. Rushworth experienced and recorded in his *Historical Collections* the period of time that included the capture and execution of King Charles I, the maneuvering of the revolutionary Puritan parliaments, Oliver Cromwell's rise in the early 1640s to his death in 1658, Richard Cromwell's brief succession, and the restoration of Charles II to the throne.

### **Holier than Thou**

The Puritan reform movement in Britain during the late sixteenth and seventeenth centuries had sought to "purify" the Church of England from all remnants of Roman Catholic popery that the Puritans claimed had been retained after the religious settlement that had been reached early in the reign of Queen Elizabeth I. From the beginning, Puritans became known for, among other things, their penchant for pious fasting, and English monarchs soon began to run afoul of this predilection. The rapid spread of new stricter and unauthorized forms of fasting, particularly the rejection even of fish as a traditional fasting food, vexed the governments of Edward VI, Queen Elizabeth, and James I. Several times Parliament intervened to boost the health of the nation's fishing industry, which suffered because of decreased consumption of fruits of the sea.

By the beginning of the reign of James I, as Jacqueline Eales points out in *Puritans and Roundheads* (Cambridge University Press, 1990), "private fasting" in England had become indicative of advanced, radical Puritanism. This self-appointed fasting by Puritans flouted church law, including the Canons of 1604, which reserved the proclamation of fasts solely to bishops as approved by the sovereign.

Eales notes that in 1629 Charles I expressed his suspicion of too much fasting—even authorized, public fasts—in response to a petition from the House of Commons. In this very early stage of his troubles with Parliament, the king warned that "this custom of fasts every session is but lately begun and I confess I am not fully satisfied with the necessity of it at this time . . . I do willingly

grant your requests herein, but with this note that I expect that this shall not hereafter be brought into precedent for frequent fasts, except upon great occasions."

King Charles's reference to "this custom of fasts every session" reflected how important the practice of fasting had become in the increasingly Puritan-dominated government of England. Proclamation of fasting days took precedence as first-order business in opening sessions of Parliament. The revolutionary Parliaments of the 1640s established regular fast days and monthly fasting sermons. During the Cromwellian Protectorate (1649–1659), Thursdays became the weekly fasting days for the Lord Protector and Council. By custom, the government did not assemble on these days; consequently, Cromwell himself on at least one occasion in 1654 incurred the ire of Puritan leaders when he summoned them for business on an appointed fast day.

During the decades of Puritan domination in England, the government continually proclaimed special days of fasting and humiliation, many with unabashed political overtones. Steven Pincus, in his history *Puritanism and Patriotism* (Cambridge University Press, 1996), relates the importance of fasting days in England during Cromwell's complicated war with England's fellow Protestant state, Holland, in the early 1650s. Days of fasting and humiliation were held in Parliament, City, and nation in order to celebrate victories and prevent defeats. On such occasions preachers could disseminate the message to those who did not or could not read printed reports of events.

Other examples of special fast days appointed in the 1650s included the following: a protest of the massacre of its Protestant subjects by the government of Savoy; prayer for seasonable weather after the ruination of the harvest by excessive rains; the desire for heaven's intercession on England's behalf in its conflict with Spain in the West Indies; supplication for divine guidance concerning whether to make Cromwell king; and meditation upon "unity among the three nations" of England, Scotland, and Ireland (*The Writings and Speeches of Oliver Cromwell*, Oxford University Press, 1947).

### **Loud and Clear**

Perhaps it was only natural that Jefferson

and his radical cohorts should turn to the Puritans of the English civil wars for guidance. After all, the eighteenth-century American precedents for fasting and humiliation, which underscored the concepts of unity of empire and loyalty to the Crown, would hardly fit the bill in the restive British America of 1774.

The language of the seventeenth-century English Puritans, on the other hand, was something quite different, something more useful to the American revolutionary generation. For instance, in his fasting proclamation of March 20, 1653, Oliver Cromwell referred obliquely but clearly to the God-ordained successes of the Puritan revolution and the demise of King Charles I when he wrote:

It cannot be denied but that God hath vouchsafed to appear very much in working the deliverance of the Nation from their bondage and thralldome, both Spiritual and Civil, and Procuring for them a just Liberty by His own People.

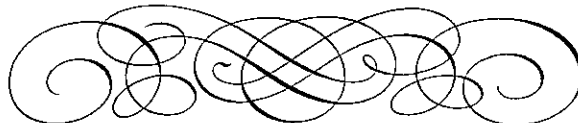
Similar sentiment clearly underlay the language of the Virginia burgesses' resolution for a fast day on June 1, 1774.

*Devoutly to implore the divine interposition for averting the heavy Calamity, which threatens Destruction to our civil Rights, and the Evils of civil War; to give us one Heart and one Mind firmly to oppose, by all just and proper Means, every Injury to American Rights, and that the Minds of his Majesty and his Parliament may be Inspired from above . . . to remove from the loyal People of America all cause of Danger from a continued Pursuit of Measures pregnant with their ruin.*

In an address delivered June 1, 1974, on the two-hundredth anniversary of Williamsburg's historic day of fasting, humiliation, and prayer, historian Thad W. Tate observed that, in the main, the 1774 event was nothing more than a simple observance of a kind that was not without precedent in early America. Tate suggested that Jefferson's turning to earlier precedents from the Puritan revolution, however, did have significance for the tone of the event. The language of the English Puritans likely resonated with the American patriots' "rather deep sense of unease that society and government had grown lax, even corrupt, to the extent that public virtue and good government were threatened," as Tate put it.

In light of these observations, it is not too difficult to see why Puritan fasting proclamations that combined revolutionary spirit with religious observance appealed to the planners of the 1774 Virginia fast day. Additionally, their invocation by the Virginia patriots may have served to convey more subtly threatening messages to King George III. The burgesses' use of rhetoric evocative of the seventeenth-century civil wars might have called to mind the idea that the Puritan revolutionaries, like their eighteenth-century counterparts, had been resisting the irresponsible spending and taxation policies of a profligate king. For his folly, that earlier king, Charles I, ultimately forfeited his kingdom and his life.

Likewise, the message could hardly have been lost on Virginia's governor, even in the midst of the fancy-dress ball in his wife's honor on that Friday in May 1774. After all, John Murray, fourth earl of Dunmore, was himself a Stuart, a kinsman of that king who lost his head at the hands of the historical revolutionaries to whom Jefferson and his contemporaries now turned for precedent. And indeed, just a year later on June 8, 1775, Dunmore and his family, for fear of their own safety, would flee Williamsburg by cover of night, thus marking the effective end of British colonial rule in Virginia. ■

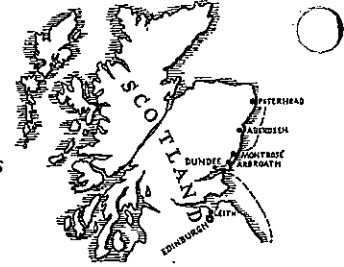




# Galloping Gallimaufry

By John Turner

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If titles are intended to catch the reader's eye, hopefully this one did. To whatever extent titles are supposed to give you a clue to what you're about to read, it probably didn't. At least if you have a fifth-grader aiming at next year's statewide spelling bee, you will be that much more able to help him/her be prepared. But even if you don't—pray, gentle reader, read on.

This article is a direct response to interpreters' requests for information about Scotch-Irish Presbyterians. It is only an introductory treatment of the topic and leaves room for many future articles dealing with important Scottish contributions to eighteenth-century America. For its relatively small size, Scotland had an inordinately large influence during the founding years on this country's religion, education, and politics.

Beginning about 1720, what had previously been a trickle of Scots of various origins (Lowlanders, Highlanders, Islanders, and Ulster-Scots) became a considerable immigrant stream. By the time of the American Revolution, they and their immediate descendants made up between one sixth and one seventh of the entire Caucasian population of North America. In Pennsylvania, according to Benjamin Franklin, it was a full third.

Scots were most numerous in the middle colonies but were found in considerable numbers all along the frontier from Maine, New Hampshire, Pennsylvania, and Virginia through the Carolinas to the Spanish border in Florida and westward through Tennessee, Kentucky, Ohio, and Indiana. Of all the cultural elements the above-mentioned four distinct groups of Scots brought with them, the most prominent were their religious and educational institutions, ideals, and practices. The great majority of these immigrants were Presbyterian, with the re-

mainder being Episcopalian, Catholic (especially in the case of the Highlanders), Quaker, and various other Protestant groups. There were also some who claimed no religious allegiance and would be classified today as unchurched.

Elizabeth I was one of the first to coin the phrase "Scotch-Irish" that still confuses many Americans who claim that group as part of their ancestry. Like English monarchs before and after her she had an Irish problem. In an attempt to deal with this problem and bring Ireland under control, her successor James I (VI of Scotland) initiated a plantation endeavor with immigrants from England and the southwest of Scotland. The Scotch settling Ulster in Northern Ireland brought their Presbyterian system with them, organizing the first Irish presbytery in 1642. By mid-century there were eighty congregations with a total of more than 100,000 members in the Presbyterian churches in Ulster.

At the beginning of the fourth quarter of the seventeenth century, Ulster Scots (Scotch-Irish) were being treated much the same as Roman Catholics in Ireland. They were not eligible for political office nor was there tax support for their churches neither could they attend the university (Trinity College, Dublin). The Reverend Francis Mackemie (born circa 1658), an Ulster Scot sometimes called the "Father of American Presbyterians," was forced to leave Ireland to study at the University of Glasgow in order to be ordained in Ireland. Early in the eighteenth century, aristocratic landowners were given the right to choose ministers for churches within their holdings, so taking from the congregations the privilege of calling their own pastors.

The reasons for massive immigration to the colonies were different for the Ulster

Scots than the Scots from Scotland. Ulster Scots were unhappy with a land system that burdened them with high rents and short leases. Scots from Scotland were escaping poverty and depression from frequent crop failures, cattle blights, and enclosure.

To some degree, though, both groups were escaping disadvantaged religious situations. Once in America, Presbyterianism provided a unifying force for Ulster Scots and the great majority of Scots from Scotland. After the middle of the eighteenth century, Presbyterianism in America became increasingly Scottish in church membership, doctrinal emphasis, and church polity. By the end of the eighteenth century the Presbyterian church was, after the Congregationalists in New England, the largest and most influential church in America.

For nearly a hundred years, the Ulster Scots (Scotch-Irish) were subjected to economic and political forces that resulted in their being more set in their Presbyterianism than their counterparts who remained in Scotland. As a result of this, they were influenced less by Enlightenment thought than the educated classes on the Scottish mainland. Their faith permeated life in all its aspects—personal, familial, and in the broader community. Perhaps the most distinctive feature of this hardened Presbyterianism was the idea of worshiping God with the mind as well as the heart. In

the words of Professor William C. Lehmann, "Religion, in its deepest meaning, was of the very marrow of their existence and had much indeed to do at once with their pursuit of material well-being, with the structure of their social and community life, and above all with their moral stance, their socio-political attitudes, and their political activities."

There was a radical shift in the character of colonial immigration in the eighteenth century that had a profound effect on the developing American nation. Large numbers of Scots, both mainland and Ulster, coming especially to the middle and southern colonies resulted in a considerable infusion of Presbyterian ideas into social, civic, and ecclesiastical life. An emphasis on personal freedom and self-government growing out of this tradition made these people important supporters and leaders both of the Great Awakening and the movement towards American independence.

The same concerns expressed in regard to Scotch Presbyterianism by adherents of the established church of England (in the companion excerpted piece) at the end of the seventeenth century, would be assigned to "Rebels" in the fourth quarter of the eighteenth century. Equality for lay and clergy elders in the administration of church life was a precursor to equality of citizens in the life of the new nation, at least in the ideal sense. ■



A Scots Entertainment.

SCOTCH PRESBYTERIAN Eloquence Display'd

Or, *The*

FOLLY of their TEACHING Discovered

*From Their*

BOOKS, SERMONS, PRAYERS, &c.

Jacob Curate

First Printing 1692



*Postscript to the Reader*

The reader must be here given to understand, that in exposing this Gallimaufry of Enthusiastick Zeal, Farce, and Nonsense, the Publisher had no Design upon the lashing either of Persons or Opinions, any farther, than to show the World the Folly, the Misery, and the Danger of False Prophets, and Blind Guides: In which Case, there needs no other Argument, than the History of the Age we live in. The Reader should do well to have a care too, not to make a Sport and Merriment of so Tragical a Judgment, as ought rather to move Men to the Solemnity of a Repentance in Tears and Sackcloth; for the Foolishness of this Liberty, is no Excuse for the Wickedness of it. Under these Precautions the Reader will be so wise, as not to laugh where he should cry.

**The True Character of the Presbyterian Pastors and People in Scotland.**

Our blessed Saviour, in his Sermon on the Mount, bids us beware of false Teachers; and tells us, That by their Fruits we may know them: Such fruits are not open and publick Scandals, for then the simple Multitude (that measure Religion by the Sound and not by the Sense) could not so easily be deluded by them. It must be acknowledged that the End of Preaching, should be the Edification of the Hearers; the Design of it being to perswade Men to Piety towards God, and Charity towards one another, and to draw the Image of God upon the Souls of Men. But it will appear from what follows, That the Scotch Presbyterians Sermons have no such tendency; for the Preachers themselves (who would have the World believe, that they only are the Powerful and Soul-refreshing Gospellers) have not been industrious to draw the Likeness of God upon the Hearts of their Hearers, but merely to impress their own Image there; that is, they labour'd not to make good Christians, but rigid Presbyterians.

That I may not be thought to assert this

without Ground, (for I would not slander the Devil) I shall first give you the true Character of the Presbyterian Pastors and People. 2. I shall lay before you, some remarkable Passages taken out of their own printed Books, to confirm this Character. 3. Some special Notes (written from their own Mouths) as they preached them under the happy Reign of King Charles II. and since the late Revolution. Lastly, I shall give you some taste of that Extemporary Gibberish which they use instead of Prayer, and for which they have justled out, not only all the Liturgies of the Pure and Primitive Church, but even the Lord's Prayer itself, because it is an evident Argument and Pattern for Christians praying in a set Form. And in all this I shall say nothing but what I know to be true, and what I am ready to make appear to be so, upon a fair and free Trial, if that may be had where Presbyterians rule.

In the first Place then, I am to give you the true Character of the Presbyterian Pastors and People. I shall begin with the People, for they are truly the Guides, and their Pastors must follow them, whom they pretend to conduct. For the Preachers of the New Gospel, knowing that their Trade hath no old nor sure Foundation, they are forced to



flee to this new and unaccountable Notion, that the calling and constituting of Ministers is in the Power of the Mob: Now the World knows by too long and sad Experience, that their Mobile is not led by Reason, nor Religion, but by fancy and imagination; so that we may be sure when the Election of Ministers is put into their hands, they will chuse none but such as will sooth and indulge them in their most extravagant and mad Humours: What Ministers can be expected from the Choice of a People void of common Sense, and guided by irregular Passions, who torture the Scripture, making it speak the Language of their deluded Imaginations. They will tell you, that you ought to fight the Battles of the Lord, because the Scripture says in the Epistle to the Hebrews, Without shedding of Blood there is no Remission. They are generally covetous and deceitful; and the Preaching they are bred with, hath no Tendency to work them into the contrary Virtues. They call Peace, Love, Charity, and Justice, not Gospel, but dry Morality only. I had once very great Difficulty to convince one of them, that it was a Sin, for him to cheat and impose upon his Neighbour in Matters of Trade by concealing the Faults of his Goods from the Buyer. He ask'd my Reason: I told him, because he would not wish one to deal so with himself. That is (said he again) but Morality; for if I shall believe in Christ, I shall be saved. I ask'd him, Was not this Christ's saying, Whatsoever ye would that others should do unto

you, that do you unto others? Yes, he said, that was good, but that Christ, because of the Hardness of the Jews Hearts, spake very much Morality with his Gospel. The poor Man spoke as he was taught and bred in the Conventicles; for it will be very long e're they hear a Sermon upon just Dealing, or Restitution of ill-gotten Goods; and who knows not that despising of Dominions, speaking evil of Dignities, and rising in Arms against the Lord's Anointed, is with them but fighting Battles of the Lord. One George Flint, in the Parish of Smalholm, in the Shire of Teviotdale, was look'd upon as a very great Saint among them; and yet out of Zeal against the Government, he kept a Dog whom he named Charles, after the King; and a Cat which he named Katherine, after the Queen; and another Dog whom he named Gideon, after the Minister of the Parish. They are a People that will not swear in common Discourse for a World, yet they never scruple before a Judge any Perjury that may seem to advance the Cause, and stand in their ordinary dealings to cheat for a Penny, nay, Murther itself becomes a Virtue when the Work of the Covenant seems to require it: And the new Gospel which they profess, is so far from condemning Lying, Cheating, Murther, and Rebellion, when committed to fulfil the Ends of the solemn League, that many of those whom they reckon Martyrs, have at their Execution gloried in these Crimes as the sure Evidences of their Salvation. ■

## Definitions and Comments

**Gallimaufry:** (*noun*) medley or jumble. Its use in the "Postscript to the Reader" from Scotch Presbyterian Eloquence Display'd, a satirical treatment of Presbyterianism from a Church of England perspective, was intended to be derogatory.

**Polity:** The form of government of a religious denomination. In Presbyterianism the church is governed by presbyters instead of bishops. Each congregation is administered by elders (both lay and clergy) and a number of congregations join together to form a presbytery. The presbytery is made up of clergy members and elders representing each church within a geographic area (Williamsburg today is on the western boundary of the Presbytery of Eastern Virginia). A number of presbyteries within a larger geographical area form a synod. The national legislature and administrative court is the General Assembly.

**Presbyterian:** Characterized by a graded system of representative ecclesiastical bodies exercising legislative and judicial powers. The word is derived from the Greek words presbuteros (referring to an "elder" of the Sanhedrin or an elder of the apostolic church) and presbus (which means "old" or "old man"). In the presbyterian system no higher order than that of presbyter or elder is recognized. Bishop and elder as they appear in the New Testament are held to be identical and all elders are considered to be of equal rank ecclesiastically.

**Scotch:** (*noun*) the people of Scotland; (*adj.*) of, relating to, or characteristic of Scotland, the Scotch, or Scots. In the seventeenth, eighteenth, and nineteenth centuries, people from Scotland routinely referred to themselves and anything having to do with their country of origin as Scotch. This practice was followed by other English-speaking peoples as well. Thus a popular dance in Virginia could be called the Scotch Reel, Philip Fithian could refer to "one Mr. Walker, a Scotch Gentleman, lately a school-master" in his Saturday, 27 December 1773 entry, and J. G. Craighead writing in 1878 could title his book *Scotch and Irish Seeds in American Soil*. The prohibition on the use of the word "Scotch" to describe anything but whiskey (which comes from the Gaelic word "usquebaugh", meaning water of life) is a twentieth-century development.

**Scotch-Irish** (also **Ulster Scots**) Scots who emigrated to Northern Ireland in the seventeenth century; they and/or large numbers of their descendants who emigrated from Northern Ireland to America before 1846.

John Turner

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## CHURCH AND STATE

In colonial Virginia church and state were one. Religious toleration was extended to most Protestant Christian dissenters but dissenters were still required to pay taxes to support the Anglican church and none but Anglicans were supposed to hold public office. On the opening day of the General Assembly, burgesses sworn in by the royal governor or one of his deputies took oaths of allegiance and supremacy, appointed by an act of Parliament in 1688 and required of all officeholders in Virginia from governor to doorkeeper. As you can see from the examples below oaths of office were designed to keep the government in the hands of Church of England men.

### OATH OF ALLEGIANCE

I, \_\_\_\_\_, do sincerely promise and swear, That I will be faithful, and bear true Allegiance to his Majesty, King George III, So help me God.

### OATH OF SUPREMACY

I, \_\_\_\_\_, do swear That I do from my heart abhor, detest, and abjure, as impious and heretical, that damnable Doctrine and Po-

sition, that Princes excommunicated or deprived by the Pope, or any Authority of the See of Rome, may be deposed or murdered by their Subjects, or any other whatsoever. That no foreign Prince, Prelate, State or Potentate hath, or ought to have any power, Jurisdiction, Superiority, Pre-eminence or Authority, Ecclesiastical or Spiritual, within this Realm; So help me God.

### DECLARATION

I, \_\_\_\_\_, do solemnly and sincerely, in the presence of God, profess, testify, and declare, That I do believe that in the Sacrament of the Lord's Supper there is not any Transubstantiation of the Elements of Bread and Wine into the Body and Blood of Christ at or after the Consecration thereof by any Person whatsoever; and that the Invocation or Adoration of the Virgin Mary, or any other Saint, and the Sacrifice of the Mass, as they are now used in the Church of Rome, are superstitious and idolatrous. And I do solemnly, in the presence of God, profess, testify and declare, that I do make this Declaration and every part thereof, in the plain

and ordinary sense of the Words read unto me, as they are commonly understood by English Protestants, without any evasion, equivocation, or mental reservation whatsoever, and without any Dispensation already granted me for this purpose by the Pope, or any other Authority or Person whatsoever, or without any hope of any such Dispensation from any Person or Authority whatsoever, or without thinking that I am or can be acquitted before God or Man, or absolved of this Declaration, or any Person or Persons, or Power whatsoever, should dispense with or annul the same, or declare that it was null or void from the beginning.

This last oath or declaration was part of the Test Act of 1673, which also required officeholders within three months of taking office to receive communion according to the rite of the Church of England and to present a certificate signed by two witnesses confirming this fact. By the mid-eighteenth century, however, a few dissenters (mostly from the western counties) did take seats in the House of Burgesses. For this to happen, Anglican leadership may not have strictly enforced the test. Or, dissenters may have "occasionally conformed" by taking communion in an Anglican parish church prior to the swearing in. Virginia began the slow process of disen-

tangling church from state with the adoption of George Mason's Declaration of Rights in 1776. Article 16 guaranteed the free exercise of religion but fell short of dismantling the established church:

That Religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and therefore, all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love, and charity, towards each other.

Ten years later, the General Assembly formally disestablished the state church by passing the Virginia Statute for Religious Freedom, which said in part that

no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinion in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities. ■

N.M.





## The World of Admiralty Law and The Strange Case of the Prudent Hannah

by Mike Haas

*Mike is an attorney-at-law, licensed in Virginia and Pennsylvania, and historic interpreter in the Capitol Area. He examined colonial documents that tell the tale of the Prudent Hannah at the Rhode Island Historical Society and John Carter Brown Library, Brown University, Providence, Rhode Island in February 1997.*

The year was 1758. War was raging on a number of fronts between England and France. Julian Legge, Esq., commander of His Majesty's Ship Chesterfield was patrolling the seas off the Virginia coast in search of vessels engaged in illegal trade with the enemy. On August 12, while sailing fifty leagues off Cape Hatteras, at 36° 30' North latitude and 71° West longitude, Captain Legge and his crew boarded a sixty-five-ton English brigantine from Rhode Island bound under a flag of truce for the French town of Port au Prince on the island of Hispaniola. The ship, belonging to the Providence trading company of Obadiah Brown and Company, whose profits would later establish Brown University, was the *Prudent Hannah*, captained by Paul Tew. The vessel was four days out of Naragansett Bay and, upon capture, Captain Legge described it as "deeply laden with all sorts of Provisions, and other necessaries." On the surface, all looked in order—the flag of truce papers signed by the governor of Rhode Island, French prisoners on board to be exchanged for British

prisoners in the Caribbean, properly completed Rhode Island customs forms. But Captain Legge smelled a rat. Rhode Island trading companies were known to send shiploads of goods to Caribbean ports for eventual sale to the French under the guise of prisoner exchanges, replete with false papers provided by customs officials. He brought the ship into Virginia waters and began admiralty court proceedings.

While this set of circumstances may read like the makings for a Patrick O'Brian sea novel, the case of the *Prudent Hannah* gives us a rare look at the Virginia Vice Admiralty Court in Williamsburg. Most Virginia admiralty court records were destroyed in the burning of the Capitol in 1747 and Richmond in 1865, but, fortunately for us, the owners of this ship ordered copies of the court proceedings sent to Rhode Island in case of appeal. Two sets of these records are now preserved at the Rhode Island Historical Society in Providence. Before further discussing the case, let us first examine Admiralty Law. What is this nautical law and how does it differ from English common law? Were admiralty courts a cause of the American Revolution? Are the courts in use today?

Admiralty law is the law of maritime trade and the sea. Although its basic roots seem to be of Roman origin, rules and procedures of merchants in various European ports such as Pisa, Flanders, Hamburg, Lubeck, Barcelona, and Rhodes were added over the centuries. In the thirteenth century, England's King Edward III fashioned the European maritime trade laws into a workable legal system and the High Court of Admiralty, named for the chief naval officer of the realm, was in existence by 1360. Like the law of the chancery courts, admiralty law followed the Continental or Roman law of the church, with decisions made by the judge alone without a jury.

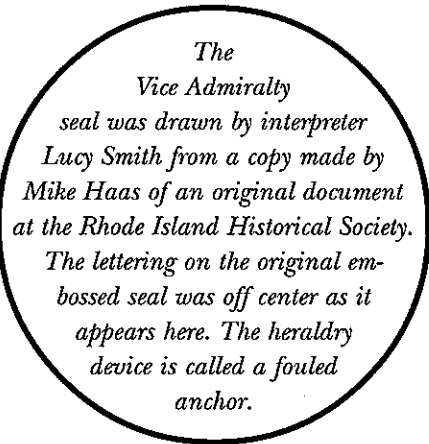
Doctors of Law, earning their degrees at the Universities of Oxford and Cambridge rather than at the Inns of Court in London, held monopoly power over church, chancery, and admiralty practice. As the Lord High Admiral gave the regional commanders of coastal fleets, called vice admirals, the authority to try cases in their own courts, vice admiralty courts were also created in America, beginning with Jamaica in 1662 and Virginia in 1698. The courts possessed jurisdiction on three levels: settling local dis-

agreements between merchants and seamen; enforcing customs and trade regulations; and, in time of war, serving as a prize court, thereby determining the spoils of battle. Today, admiralty law is considered the oldest form of international law.

Organization of the vice admiralty courts differed from that of the common law. The court consisted of three primary officers: a judge, a registrar or register who was the clerk of court and responsible for all record keeping; and a marshal, who, like a county sheriff, carried out the orders of the judge to seize vessels and arrest masters or ship captains. Attorneys were known as advocates (sometimes judge advocates or advocates general) or as proctors, depending upon their level of education. The person seeking relief in court (corresponding to a plaintiff in common law cases) was the libelant, who presented the case to the court in a libel or written document stating the complaint.

Unlike the courts of common law, admiralty courts permitted cases to proceed "in rem" or against the thing, rather than going against a particular person. Therefore, cases proceeded against the ship, with sale of the ship and cargo being the usual remedy for violations. Court procedure began with the advocate reading the libel to all who were present, after which the judge might issue a citation to the marshal, who arrested the vessel or her cargo and cited the master to appear in court. The judge then issued a proclamation or statement of the libelant's complaint and the respondent (defendant in common law) at whom the libel was aimed had the right to answer in reply and/or submit his own claim against the libelant. The court considered all of the evidence—the libel, the answer, any depositions taken, and oral testimony of the witnesses—and then pronounced a decree or judgement in the case. If the decree included forfeiture or condemnation of a vessel or cargo, it was the marshal who gave notice of the sale, saw that a proper appraisal was made, and sold the merchandise.

Vice admiralty courts were unpopular in England because of the absence of juries and the reduction caused in local court business. Seamen, however, appreciated courts that tailored procedures and remedies to the settlement of maritime matters and permitted sailors to have special legal privileges not available in common law. Sailors were



looked upon as wards of the court and could often collect wages or bring legal action against an owner or master even if the seamen had been at fault. Under common law, fault on the part of the plaintiff often limited the liability of the owner or master.

With this background, let's return to 1758 and examine both the trade procedures of the times and the Virginia Vice Admiralty Court. Britain's large navy gave her such control of the seas that France had a very difficult time maintaining ties with her West Indian colonies during war, and France and Great Britain fought three wars with each other between 1702 and 1763. The French islands were dependent on their British neighbors to the north for foodstuffs and the colonies were eager to sell to the French.

When the Seven Year's War broke out in 1756, the Board of Trade sent a circular letter to colonial governors instructing them to put an embargo on all ships not bound for a British colony. Even ships going to a British colony were required to be bonded to ensure the ship went to the designated colony. A few governors loosely interpreted the law or outrightly violated it, allowing their merchants to trade with the French with no interference.

Some of the trade was direct to the French, with licenses given by French governors providing safety from French men-of-war. British governors often permitted their merchants to deal with the French under flags of truce, or passes allowing the trading of prisoners, with foodstuffs permitted on board the ships for the prisoners and crew to eat during the voyage. While some of these passes were legitimate, others cloaked trading ventures with the enemy.

In addition, indirect trade was possible

through neutral colonies. The Dutch Caribbean port of St. Eustatius was a convenient place to off-load cargo, which then was taken to French islands. An even more convenient port was Monte Cristi, a small Spanish settlement on the island of Hispaniola. Known as "The Mount" to sea captains, it was described as having no more than fifty houses and was located close to the French border. Tales were told of over one hundred American colonial ships in the port at one time and of cargo directly offloaded into French lighters.

Merchants in Rhode Island and Pennsylvania were especially notorious for trading with the enemy, with Massachusetts and New York merchants involved to a lesser degree. Only a few Virginia merchants seem to have been a part of the trade. Rhode Island was a charter colony with Governor Stephen Hopkins elected to the position by the unicameral legislature. Hopkins, who owed no personal loyalty to the British government, freely admitted in correspondence that merchants of his colony operating under flags of truce carried lumber and items of British manufacture to the French, bringing back molasses and sugar, and other ships purportedly bound for Jamaica actually sold their goods in French colonies.

In 1758, the Virginia Vice Admiralty Court consisted of Peyton Randolph as Commissary of the Lord High Admiral of England and judge. He had been commissioned in November 1744 and was also serving as attorney general of the colony. The advocate was Benjamin Waller, the register was John Robinson, and the marshal was John Pearson Webb.

With this background, let's return to the story of the *Prudent Hannah* as told to us in the copies of the court records and also in a letter written by Captain Tew to Obadiah Brown & Company on August 26, 1758. In his lengthy letter, now held at the John Carter Brown Library at Brown University, Tew explains his very unhappy experiences with the Royal Navy and the locals, describing Williamsburg as "this wretched place."

After the ship was captured, Captain Tew tried to induce Captain Legge to send him

to a more northern port, where there were friends of the Brown Company who could help, but to no avail. He was also assured that he would be given liberty to go ashore to solicit for his defense, but upon arrival in Yorktown was kept on board the *Chesterfield* for 36 hours and was "ungenerously" represented to the "merchants and gentlemen here (if there be any such)" so that all looked to him as a traitor and enemy. Tew says in the letter that "in this deplorable condition, I prevailed with George Wythe, Esq., an eminent attorney (more by entreaty than money) to put an answer and defend the vessel and cargo."

The marshal of the Vice Admiralty Court seized the ship and summoned Captain Tew to appear in court six days later.

The trial opened on August 25, 1758, with the submission of Captain Legge's libel, the answer given by George Wythe and documentary evidence. The libel stated that the items found on board the ship were divided into two schedules or lists. On the first list was the cargo expected to be sold to the French on Hispaniola. This included 46 barrels of flour, 37 barrels of beef and pork, 213 barrels of fish, as well as butter, beans, and onions. If sold by the court, the proceeds from this list were to be divided one half to the king or royal treasury and one half to Captain

Legge. The second schedule or list included items to be "landed at some other of the British Plantations in America" without proper customs clearance. This list included more flour, beef, fish, and onions as well as spermaceti candles, men's shoes, desks, wine, beer, and lumber. The proceeds of the sale of these items were to be divided equally among the king, Governor Fauquier, and Mr. Legge.

In his answer to the libel, Tew stated that certain of the items found on board were to be consumed by the crew and prisoners while going to Port au Prince, waiting there, and returning home with the British subjects exchanged for the French. He also presented notarized papers signed by two men appointed by the Rhode Island General Assembly to examine every flag of truce ship



and ensure only foodstuffs for the "victualing [of] the prisoners and mariners" were aboard. This, however, seems to have been a thin veneer of legality used to cover this type of traffic, for the inspectors were Daniel Jenckes, later father-in-law of one of the Browns, and Elisha Brown, uncle of Obadiah Brown's four nephews.

Captain Tew also presented papers signed by Stephen Hopkins, governor of Rhode Island, authorizing the prisoner exchange and the loading of provisions necessary for the trip. Customs receipts stated that the ship, bound for Jamaica, had cleared customs with much lumber, fourteen desks, one thousand bunches of onions, six boxes of soap, nineteen casks of wine, eight barrels of oil, five casks of beans, twenty-four boxes of candles, and two hundred and seven barrels and nine hogsheads of fish. The customs receipts were signed by James Wanton, the collector and George Gardner, naval officer of Rhode Island.

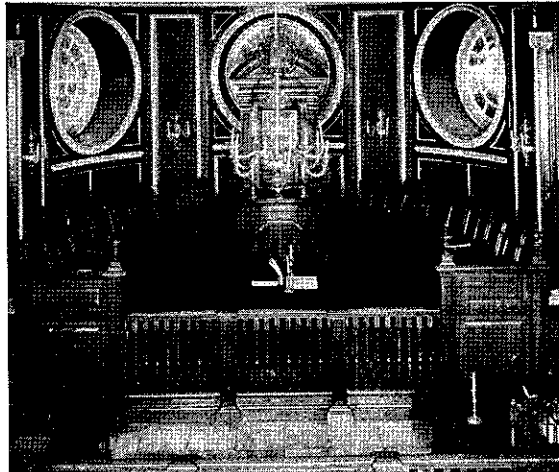
The court records then state only that the advocate, Benjamin Waller, "replied generally" and after "mature deliberation" judge Randolph pronounced the decree, stating that the ship, with all rigging, tackle, apparel, furniture, and lading be auctioned with the proceeds to be divided as asked for in the libel. The cargo was to be appraised by any three of six named merchants: Thomas Reynolds, David Jameson, Edmund Tabb, William Stevenson, Nicholas Dickson, and Robert Ballard. The marshal was to sell the property to the highest bidder and return to the court on September 19 to make an accounting.

The court next met as scheduled on September 19, and the final decree was issued by Peyton Randolph. After deducting duties on the liquor and court costs, he decreed that £459.10.10 should be paid to the king, £127.2.4 to Governor Fauquier, and £459.10.10 to Julian Legge, the Prosecutor.

The records of the appraisal, as completed by Edmund Tabb, Nicholas Dickson, and

William Stevenson, survive with names noted of who bought what cargo. Captain Calvert purchased the ship and furniture for £465. Much of the cargo was purchased by the merchants of the area, including those who made the appraisal, as well as Mr. Prentis, Mr. Norton, Mr. Tarpley, and Mr. Scrivener. Other familiar names among the buyers were James Burwell and John Randolph, Esq., who purchased 63 gallons of claret. Ship and cargo totaled £1146.4.9.

The surviving court records contain the various documents presented to the court, but do not tell us the verbal testimony or summations of the attorneys, Captain Legge, and other sailors. In his letter to Obadiah Brown, Captain Tew stated that George Wythe "made a tolerable good defence by arguing the sacredness of flags of truce among all civilized nations" and argued that the cus-



tom's clearances made all legal. "Had Cicero himself been present and argued the case would have availed nothing," Tew wrote. "She was this day condemned vessel and cargo according to popular clamor, but as they say agreeable to an Act of Parliament made in the year 1756 to prevent the exportation of pro-

visions from the plantations."

Much of the "popular Clamor" against him was precipitated by letters found on a French vessel captured at about the same time. This vessel, traveling from Hispaniola to New York with a cargo of molasses, rum, and sugar, contained letters destined for France that explained the importance of the flags of truce vessels. Without their constant supply, stated the letters, the misery of the people on the French islands would have been much worse.

Although Captain Tew persuaded the court to allow an appeal if he could provide a bond of £100 sterling, he saw little hope of raising that kind of money. "How I shall conduct myself in this affair God only knows," he complained. "In this wretched place no person will advance a single farthing for me,

there being no manner of trade from hence to any port of New England, New York or Philadelphia." He planned to set out from "this accursed place designed by God and Nature for convicts" in an effort to secure bondsmen in Norfolk, "where there is some gentlemen that trade to the Northward." He ends his letter by showing that not all of his problems were caused by the trade difficulties, stating "on the whole and to crown my misfortune, the d—ed Gout has seized my right foot. Every reflection has a dreadful aspect and my thoughts are too confused."

Even though the Browns sent him a letter of credit and bond was obtained, Captain Paul Tew is not mentioned again in the surviving Brown letters and the Admiralty records do not show an appeal was ever considered. In addition, no records show if insurance money was ever collected for the lost cargo. The voyage may have ended in complete economic disaster.

The Virginia Vice Admiralty Court was one of eleven such courts in North America by 1763. Courts existed in Newfoundland, Nova Scotia, Massachusetts (including New Hampshire), Rhode Island (recently split from the Massachusetts court), New York (including New Jersey and Connecticut), Maryland, Pennsylvania (including the Delaware counties), Virginia, North Carolina, South Carolina, and Georgia. The governors of the colonies having vice admiralty courts were usually appointed as vice admirals.

During the French and Indian War, Royal Navy officers had been surprisingly successful at capturing customs and revenue violators or smugglers, and various royal governors suggested that this arrangement continue after hostilities ceased. In addition, George Grenville, chancellor of the exchequer, was looking for ways to ensure more of the customs tariffs were collected. It was thought that the revenues taken from America amounted to less than one-fourth of the cost of collecting them. In 1752, James Abercrombie of South Carolina submitted a lengthy study of customs and admiralty proceedings that suggested a new court be established with jurisdiction over all of North America, staffed with a London trained and appointed Doctor of Laws judge who would not easily side with the colonial merchants and ship owners.

In April of 1764 the Revenue Act (popularly known as The Sugar Act) stated that

any prosecution for the infringement of an act of trade could be tried in any common law court, any provincial vice admiralty court, or any vice admiralty court that may be appointed over all of America. A court of wide jurisdiction was then established in Halifax, Nova Scotia, headquarters of the Royal Navy fleet in North America. If the sea captains of the navy were to round up smugglers, Admiral Lord Colville, the commander of His Majesty's Navy in North America, wanted the court close by to ensure the captains received their fair share of sale proceeds. It was also thought best to place the court far from the main colonies where the judge might be intimidated by the merchants. The court was to be supplemental to the provincial vice admiralty courts.

Doctor of Laws William Spry, a well-trained civil lawyer who had married the niece of William Pitt, was named judge, with a salary fixed at £800 per year. Since a vice admiralty court needed a vice admiral, the earl of Northumberland was appointed to the ceremonial office, but remained in England.

The thought of a London trained civil lawyer operating at a far-off naval station, with power stretching from Newfoundland to the Floridas was something to be dreaded and local newspapers soon warned that enforcement would be severe. In reality, however, the court was much less of a danger than initially feared. Since the court was inconvenient for all, very few cases were taken to Halifax by prosecutors. Dr. Spry moved his family to Nova Scotia, for his pay was not to begin until he and family were in place, but after almost three years with very little business, he asked for a change and was made governor of Barbados in 1767. Before his replacement could be confirmed in London, a new series of four regional vice admiralty courts was established, sitting in Halifax, Boston, Philadelphia, and Charleston. The judges were paid £600 each with the courts assuming original jurisdiction within their own area, supplementing the provincial courts.

When the Virginia colonial courts collapsed during the Revolution, the Fourth Virginia Convention (December 1, 1775-January 20, 1776) created the Virginia Court of Admiralty, primarily to enforce the trade restrictions of the Association. John Blair, James Holt, and Edmund Randolph were named as judges, with each permitted to



appoint a register, an advocate, and a marshal for his court. All trials were to be by jury, with an appeal allowed to the committee of safety. In May 1776, the court's jurisdiction was enlarged to include trial of captured enemy ships. In October of the same year, Thomas Jefferson's "Bill for Establishing a Court of Admiralty" was enacted, allowing a more permanent court, with an extensive jurisdiction. The court's procedure was to be governed by the regulations of Congress, the Virginia General Assembly, the English statutes prior to the fourth year of James I's reign, the laws of Oleron, and the Rhodian and Imperial laws as they were observed in the English courts.

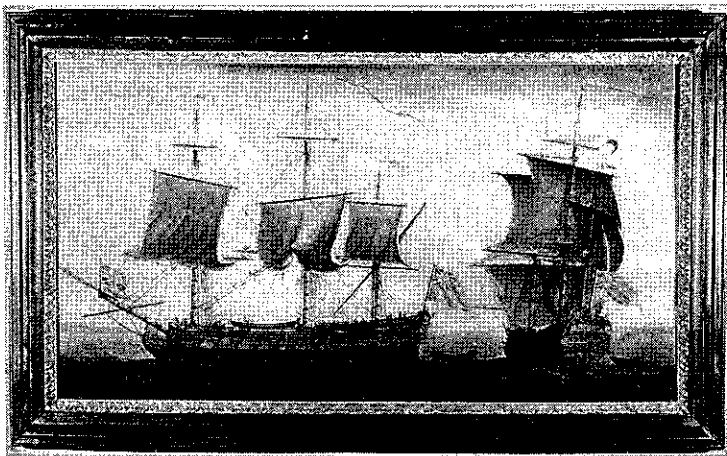
The Virginia Admiralty Court was short lived, however, because Article III, Paragraph 2 of the U.S. Constitution and Section 9 of the Judiciary Act of 1789 conferred on the federal judiciary admiralty courts of exclusive jurisdiction closely modeled on those of the colonial era. Today, federal admiralty jurisdiction extends to all navigable waters, salt or fresh, natural or artificial, with or without tides. When a U.S. district court sits as an admiralty court, its organization is identical to that of the colonial Virginia vice admiralty court, with a slight change in terminology. Under the Judiciary Act of 1789 the register became the clerk, with power and authority somewhat diminished.

Were the vice admiralty courts a cause of the American Revolution? Although there were many more prominent causes, we see numerous subtle changes in these courts between 1698 and 1775. The court began as a forum for settling maritime questions, then its jurisdiction expanded to include customs

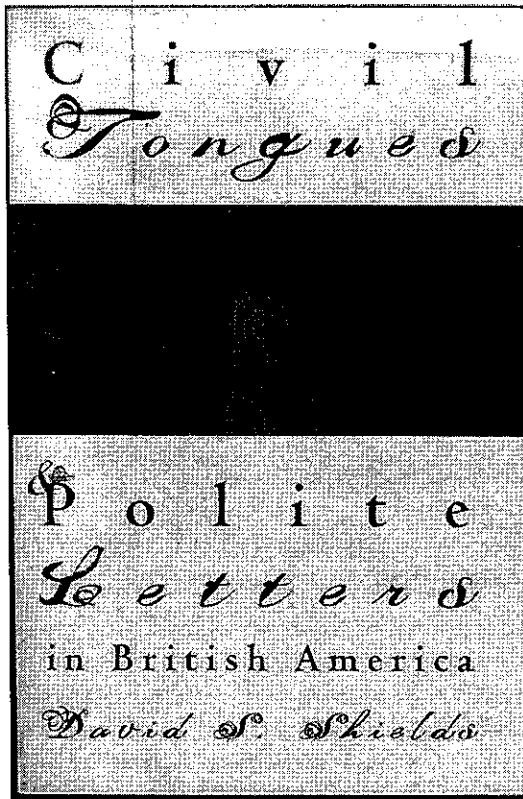
violations for which the *Prudent Hannah* provides an excellent example. During the 1760s, the court's role was again expanded to include the production of revenue for the Empire. These changes took revenue cases out of common law courts, where they were tried in England, and placed them in the admiralty sphere, with no jury trials and with the possibility of trial in a cold, far-off place inconvenient to all. These efforts were to fuel the fires of revolution in North America. When Crown officials attempted to bring quasi-criminal legal actions, some not directly connected to maritime commerce, into these non-jury courts, Americans saw an erosion of their rights taking place.

The colonial representatives who attended the Stamp Act Congress in 1765 adopted a resolution stating trial by jury was the inherent and inviolate right of every British subject in these colonies. The Americans thought Parliament subverted the rights and liberties of the colonists by extending the jurisdiction of the admiralty courts beyond their ancient limits. A declaration by the First Continental Congress on October 14, 1774 also criticized extending the powers of admiralty courts, depriving Americans of jury trials. The Declaration of Independence lists these violations: "For depriving us, in many cases, of the benefits of trial by jury; For transporting us beyond the seas to be tried for pretended offenses."

Admiralty courts, which were a minor but persistent problem just prior to the Revolution, formed an important part of our colonial legal history, while the admiralty courts of today reveal the thread of continuity with our colonial past. ■



"HMS Tavistock" by J. Clevley the Elder in the Colonial Williamsburg collection.



## Civil Tongues, Polite Letters, and Heavy Reading

A Book Review by Mark Howell

*Mark is program manager for Daytime and Community Events in the Education Division.*

*Civil Tongues and Polite Letters in British America* by David S. Shields. Chapel Hill, N. C.: University of North Carolina Press for the Institute of Early American History and Culture, 1997.

In the last several years, curators and historians have been studying how objects, actions, and literature define and symbolize colonial American society and its evolution throughout the century. In his new book *Civil Tongues and Polite Letters in British America*, David Shields takes scholarship a step further and analyzes how discourse—conversation and social interaction—illustrates and influenced the development of civility in polite society. He explores how colonists used the tea ceremony, balls, the printed word,

taverns, coffeehouses, colleges, and clubs as stages to display their English-bred modes of gentility. Shields contends “that each form of private society that flourished in British America depended upon a distinctive manner of discourse for its effective operation” (p. xiv). Persons interested in being genteel were obliged to master these various modes of social discourse in order to advance in the world and attain eminence in their community. Chat and gossip at tea, raillery and wit while clubbing, the rituals of card playing, and conversation were separate skills that had to be blended with manners, appearance, position, and duty to make the whole man—or woman.

Lest you think that this book is but a review of ceremony and merely descriptive of the colonists’ social interactions, beware. It is not an easy read. Shields’s analysis of the poems he uses to illustrate his thesis are dense and require close attention to appreciate. The book can be used on a variety of levels, however. Shields, a professor of English at The Citadel, offers good background on social rites and, in the process, describes several novel social diversions that we might consider incorporating into our daily interpretations. For example, crambo was a parlor game played by at least four people. An individual wrote or spoke one line of verse. It then fell to the next in line to finish the couplet. The game progressed around the room as the players built on the evolving story in rhyme and were eliminated if they botched the meter, bungled the rhyme, or disrupted the flow of the story. The game is one example of how wit was used in presenting oneself as a sociable and civilized creature.

Words and the way they are used are artifacts for Shields. He studies the way conversation and social interaction are represented and satirized in literature, primarily poetry, and attempts to reconstruct *how* colonists used words and wit to assert their sociability. Shields limits his study in two ways. First, he focuses on “polite” public and semi-public situations and distances himself from political and business interactions. For eighteenth-century persons to be sociable they were required to distance themselves from business and self interest during social occasions so that all powers could be concentrated on the refinement of urbane wit. Although researcher must draw boundaries to his research somewhere, this limits Shields’s study

Of the whole person and confuses the reality of how the elite, be they Philadelphia merchants or Charleston grandees, integrated gentility into all facets of their lives. Second, Shields centers his literary analysis on belles lettres and makes little use of conversations and social situations recorded in diaries. For better or worse, in so doing he keeps his emphasis on the literary representations of sociability.

Shields also asserts the importance of a metropolitan environment for developing acceptable sociable conventions and, in so doing, leaves Virginia and Williamsburg out of a good part of the book. As a result, institutions such as Phi Beta Kappa and the F. H. C. Society are not discussed in this work. Shields addresses this slight to Virginia by devoting a few pages (301–307) to distinguishing between metropolitan sociability and rural hospitality. Sociability he defines as a free and friendly conversation where participants come at one another on an equal footing, modified by ability. Hospitality, which Shields implies ruled Virginia's gentry world, was organized around the hierarchical relationship of host and guest that limited free exchanges of dialogue by unspoken rules of deference. Whether hospitable or sociable, social rites helped to assert status and define boundaries, but all was measured against the standard in London.

One of the standards undergoing a major transformation during this time was the woman's role in both rural and urban social situations. Shields goes to great lengths to show how the tea table, levees, and assemblies were evolving not only as spheres where the woman ruled but as arenas where women were attempting to persuade men to engage them on *their* terms. For much of the century, tea and its domestic ceremonies, popularized by Catherine of Braganza in the seventeenth century, was the realm of women; coffee and the public process of drinking it over business in coffeehouses was the realm of men. Women like Philadelphian Elizabeth Magawley aspired to attract men to the salon by lobbying the notion that women were worth communing with in the first place and, revolutionary notion that it was, suggesting that it was not demeaning to do so on their turf. The chat that occurred over tea encouraged a feminine interest in the world and legitimized the validity of women's points of view, however slowly it may have

developed (and still is!).

Shields also devotes space to the emergence of the public printed matter as a forum for the conversations once appreciated only by a few. Newspapers, pamphlets, and magazines extended genteel discussions to larger audiences through poetry—considered to be the highest and most rarified form of eloquence—essays and editorials, even the adoption of the pretence of the reading public as a club. The *Virginia Gazette* had its Monitor Club, the *South Carolina Gazette* its Meddler's Club. This advancement extended the preeminent world of verbal communication to include more persons in genteel discourse, and not merely in a passive way. Papers became vehicles for conversations, with subscribers rebutting submissions and the original author firing back a defense, in much the way that Reverend Samuel Henley and Robert Carter Nicholas played out their disagreements in the pages of the 1770s gazettes. But the prints were no substitute for the face-to-face interactions that helped define the individual's status and ability.

An important feature of Shields's book is his effective use of people as illustrative of each chapter's major point. For example, the arrival of Dr. Thomas Dale in Charleston and his assimilation into its society in the 1730s (pages 277–301) reveals how the good doctor was able to use patronage and literary wit to establish himself as a beau in that city's genteel, and normally very closed, circle of elite gentry (a process that immigrant and gentry wanna-be Daniel Fisher failed so miserably at here in Virginia in the early 1750s). Shields has also ferreted out some great incidents that he uses to great effect. The stories of two Barbadian women and their use of fabric and servants to assert social superiority (page 156) and the highs



"Playing Cards" by Henry W. Bunbury in the Colonial Williamsburg collection.

and lows of confidence man Tom Bell (pages 275-277) stick in the mind as great commentaries on the times. Shields is very adept at choosing interesting incidents out of the historical and then drawing meaning out of them without stretching the realm of supposition too.

Unfortunately, most of Shields's examples are taken from the first half of the eighteenth century. It is always difficult to sum up an entire century in one book, no matter what the topic, but Shields does not balance the century well and makes an awkward jump to the early Republic in the last chapter, losing an opportunity to explore with any depth American notions of virtue and gentility in the revolutionary period.

*Civil Tongues and Polite Letters in British America* is challenging but will leave you with a deep appreciation for some of the subtleties that colonists had to contend with in crafting an image that England had dictated to be genteel. In 1749 Ben Franklin wrote that "in the setting of new countries, the first care . . . must be to . . . secure the necessities of life. This engrosses their attention and affords them little time to think of anything

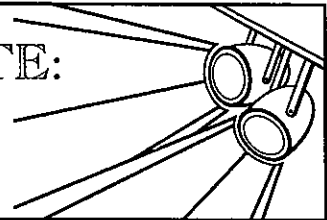
further . . . . The culture of minds by the finer arts and sciences was necessarily postponed to the times of more wealth and leisure . . . . These times are come." Once the necessities of life had been dealt with and the pesky problem of high mortality rates had been reversed, the gentry wasted little time in devoting a great deal of time and effort to the civilizing of their world. Gentility was more than a pretension; it was a defining characteristic of a way of life that was appropriated by the middle classes in the nineteenth century as respectability and romanticized during the Colonial Revival in the twentieth. The verbal and social interactions that manifested it found eager and skilled practitioners in America. Shields has added to our understanding of just how complex a process it truly was. ■

For those looking for more of an introduction to the subject of gentility, I commend to you Richard Bushman's *The Refinement of America* (New York: Alfred Knopf, Inc., 1992). Bushman reviews the display of gentility in all of its guises: architecture, manners, appearance, and the decorative arts.

## BRUTON HEIGHTS UPDATE:

### *Spotlight on Collections*

by David Blanchfield



### Thomas Jefferson's Telescope

*David is the Marshall Steel Fellow in the Instruments Conservation Laboratory.*

A Dollond telescope that belonged to Thomas Jefferson is currently in the instruments conservation laboratory at Colonial Williamsburg. The instrument is owned by Monticello, Thomas Jefferson Memorial Foundation, and is here at the request of curator Susan Stein for examination and treatment. Aside from the challenging treatment, the presence of the telescope gives us an opportunity to study the object side by side with Colonial Williamsburg's own Dollond telescope (accession number 1947-286).

In the late eighteenth century, the London firm of John and Peter Dollond manu-

factured the most sophisticated refracting telescopes in the world. The brothers Dollond had perfected the achromatic object lens, first manufactured by their father, John, and mounted it in small, powerful, and relatively inexpensive telescopes. The single achromatic lens was actually composed of two (and sometimes three) lenses manufactured from different types of glass and fitted so closely to one another that they gave the appearance of a single lens. The advantage of the system was that the different materials in the glasses caused each lens element to have a slightly different focal point. By carefully adjusting the shape and materials used in each element, all of the colored light entering the end of the telescope tube could be focused on a single point, rather than over a number of points, as was the case with the

Older, single lens telescope. The image resulting from the older type of lens was somewhat blurred and usually surrounded by a colored halo. (This effect can be seen in a plastic lens from a toy telescope or magnifying glass.) However, with the achromatic lens, the image was clear and sharp, with no halo. The marketing of these telescopes in the last quarter of the eighteenth century caused a sensation among European and North American natural philosophers.

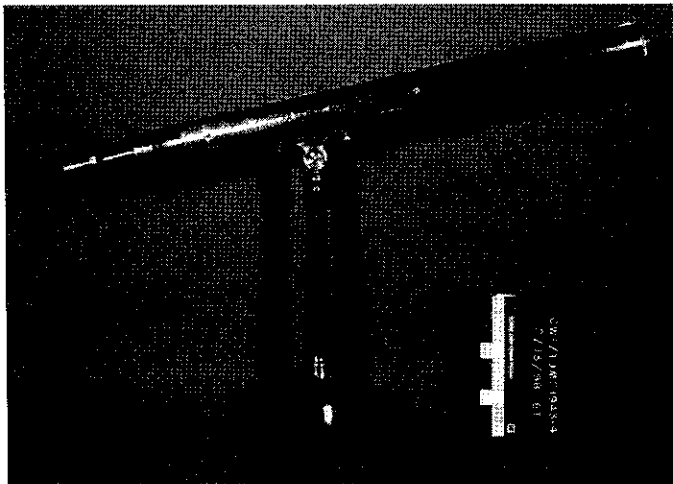
Thomas Jefferson owned two Dollond telescopes. One was purchased for £10-10 on March 21, 1786 during a visit to the Dollond shop. The second was acquired on January 2, 1793, after Jefferson had returned to Monticello from Paris. Jefferson's use of his telescopes was not primarily for celestial viewing, but for terrestrial measurement. He used these instruments to help calculate the height of mountain peaks, including Monticello, in the area around his home, as well as to determine the latitude and longitude of Monticello and other Virginia locations.

The Jeffersonian Dollond telescope in the instruments conservation laboratory consists of a mahogany tube, about thirty inches long, with brass fittings and a double achromatic lens. The tube has several cracks running its entire length, and there are four loose pieces held in place only by the end fittings. There is evidence of three repair campaigns attempted on the tube. First, under magnification, the imprint of string wrapping can be seen in the finish. Second, stains left from corroding metal bands, probably iron, are visible in two locations. Finally, a wrapping of very thin sheet brass, covering about half the length of the tube, was soldered in place. This sheet brass repair is still on the tube,

and is the subject of discussion concerning the conservation of the telescope, as a determination must be made as to whether this repair was made during Jefferson's lifetime or not.

A letter written in 1819 by Jefferson to William Davenport, a Philadelphia mathematical instrument maker, reveals that Jefferson agreed to pay ten dollars for the repair of his "disabled" telescope. Jefferson's second Dollond telescope is also cracked, but shows no indication of attempted repair. This suggests that perhaps the telescope in the conservation lab is the subject of Jefferson's letter to Davenport. Jefferson further asks Davenport to look into reworking a focusing mechanism that a "not very dexterous" local workman tried, and failed, to add to the telescope in 1807. Davenport, however, apparently declined to do the work. Remnants of a focusing mechanism are extant on the telescope in the conservation lab. And, sure enough, these remaining bits are very crudely made, especially when compared to the original focusing mechanism on the CWF Dollond. This further evidence that this telescope is the one that Jefferson had repaired in Philadelphia has convinced curators and conservators that the brass wrapping should remain on the tube, as an example of Jefferson's personal involvement with, and care for, this instrument.

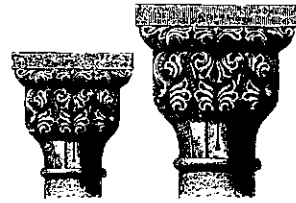
Further information regarding Thomas Jefferson's use of scientific instruments is available in "Jefferson and the Amusements of Science," by Lucia Stanton, in the July 1993 issue of *The Magazine Antiques*. Also, information on this telescope is published in *The Worlds of Thomas Jefferson at Monticello*, by Susan R. Stein (Abrams, 1993). ■



Dollond telescope owned by Monticello, Thomas Jefferson Memorial Foundation.

# NEWS FROM *The Curators*

by Jason Whitehead and Tracy Stecklein



## The Black Book's New Look

*Jason is Historic Area conservation technician;  
Tracy is assistant registrar, Photography.*

In January the Collections and Conservation Departments began an ambitious new project: the updating and redesigning of what is commonly referred to as the "Black Book." You've all seen them and referred to them at one time or another. They are small black notebooks that contain a list of the objects in each building along with identifying information and tiny photocopied pictures. As you may have observed these books have been around for many years and are in desperate need of revision.

Enter Ginny Kauffman. Ginny, the supervisor of the Wythe House, called Margie Gill, registrar at Collections, and asked what could be done to change the books to better serve interpretation at the Wythe. Margie consulted with Catherine Anderson, associate conservator of Exhibits and Environment, and the two decided it would be a great project to give to an eager young conservation techni-

cian named Jason Whitehead. Initially, the project was seen as a simple upgrade of information that would take only a few short weeks to complete. However, as Jason began to compile new data from the object files, it became clear that this simple project was actually the perfect opportunity to overhaul the whole Black Book system.

During a curator's meeting, it was decided to appoint a Black Book Committee to begin the redesign process. The committee, made up of staff members from both the Collections and Conservation Departments, made several recommendations concerning how the books should be enhanced to provide interpreters with more accurate and detailed information on the objects in their respective historic buildings. First, and most importantly, the information on each object would be reviewed by the curators for accuracy and would include a short description of what a particular object was used for and, if possible, why it had been chosen for its particular location. Second, a short restoration history of the building and a furnishing



Jason Whitehead and Tracy Stecklein.

Plan would be included to let interpreters see how building design decisions were made. Last, the books would include an inventory, floor plan, and a statement addressing the "commonly understood principles of conservation."

The committee felt that in addition to complementing historical interpretation, the books should support the collections management needs of both the Collections and Conservation Departments. Curators and registrars would use them to update physically the inventory of each building on a quarterly basis. The conservation technicians, who are responsible for monitoring each building's interior daily, would be able to use the book to check each object's condition on site instead of using the conservation files at the DeWitt Wallace Collections and Conservation Building.

Using these recommendations as a guide, a prototype was created and installed in the

Wythe House under the title, "Wythe House Furnishings Book." However, the project is not yet complete. The committee would like you to inspect the book and provide feedback. What do you like or dislike about the new format? Does it help your interpretation of the site? Please let Ginny Kauffman know what you think. Once these suggestions have been received, revisions can be made if necessary and a permanent edition will replace the prototype. Your suggestions will also be used in the formation of future books.

Keep in mind, although future books will come, it's a slow process. The first new black book has been five months in the making. While later books will not take quite so long, they do require a lot of time and effort to ensure that you receive the most accurate information possible. And one other thing: if you haven't already noticed, the black book's new look is white! ■

## COLLECTIONS RESEARCH RESOURCES

by Margie Gill



*Margie is registrar for the Department of Collections and Conservation.*

The Wallace Collection & Conservation Building at Bruton Heights Education Center is home to curators, conservators, and registrars. It has conservation laboratories and storage areas for part of the Foundation's reserve collections of ceramics, furniture, metals, textiles, paintings, prints, tools, firearms, etc. The facility also houses vital files of information about those collections, which are a major resource for research in decorative arts.

A **Catalog Card File** is available to staff, visiting scholars and professionals, and the interested public. The cards are arranged by subject and have a photograph and curatorial catalog data on each object. The file is available for research by making an appointment with a curator or registrar's staff member.

There is a folder for each object in the collection containing complete acquisition

data obtained during accessioning—purchase and loan agreements, deeds of gift, and appraisal information. Also on file are curatorial catalog sheets and correspondence accumulated since acquisition, conservation reports, photographs, exhibit records, publicity and publications featuring the object, and related research information, among other things. Since the object files contain confidential information, they may be used only by special permission of the registrar or curator.

The **Collections Management System** is the most direct and up-to-date source for research about the collections. Research can be done without leaving your office, with a few strokes on your computer keyboard! If you have a link to the AS/400 computer system, you can find out information about any object in the collection contained in the **CMS**.

The system uses the same software as the CWF Library's **Patriot**, tailored to suit specific collections management needs. The

CMS is fully available throughout the Bruton Heights School Education Center Campus. Anyone who uses **Patriot** also has access to the CMS simply by keying the word **DAY-BOOK** as User name and Password. Choose option 41 *CWF Catalogs & Calendar* and option 5 *Collections Management catalog*. The on-line catalog screen allows a search by (object) maker, subject, title, or accession number. Keyword searches allow more flexibility—for instance, a search may be designed to find all side chairs made of walnut in Williamsburg by keying “side chair, walnut, Williamsburg” and pressing F9 Subject Keywords. By pressing F11 one may search the database for Credit Line (donor information), History, object by Date, Vendor/Source, etc. There is a computer record for each object in the collection with basic information, which includes the current location of the object. Complete curatorial catalog data has been added for approximately two-thirds of the collection. The project is

ongoing.

Since there are currently few AS/400 connections in the Historic Area, it may be easier to use the computers in Bruton Heights School Education Center. Further information on the use of the computer catalog database may be obtained by calling the registrar’s office at any time.

To examine objects in the collection and to discuss object and material culture research, make arrangements with the specialist curator.

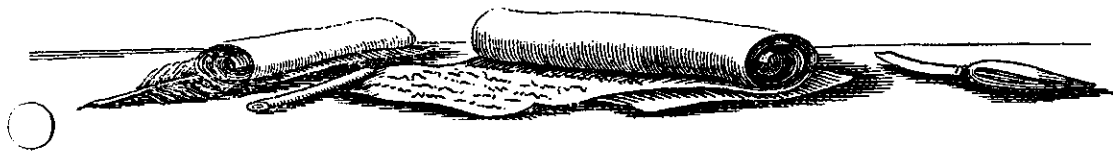
In-depth examinations and documentation of objects using low-power microscopes, x-radiography, and other methods that can characterize materials and tool marks are available in the conservation laboratories. Some of the conservation labs already make silicone rubber molds of original surfaces for some of the Historic Area Trades shops. Please contact the specialist conservator to discuss your questions and to make an appointment to examine objects of interest to you. ■

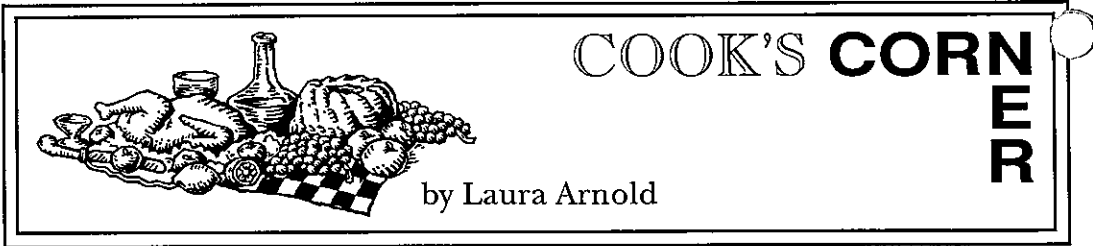
### **Collections and Conservation Staff:**

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*Laura is a member of the interpreter planning board and is a volunteer for this publication.*

Elizabeth Randolph (née Harrison), like her husband, Peyton Randolph, left few written records about her personal life. The picture we have of her emerges from inventories and wills, and the letters and diaries of family and friends who were the fortunate recipients of her hospitality. One such friend was George Washington who, along with his wife, Martha, frequently visited the Randolph house facing Market Square. As political tensions increased in the spring of 1774, Betty Randolph was caught in a swirl of social activities with decidedly political overtones, including a ball in honor of Lady Dunmore, the wife of the royal governor. During May, Mr. Washington recorded three instances in his diary in which he "dined at the Speaker's." An invitation to dine at the Randolph's was definitely an occasion, an opportunity for Betty to set her table with crystal and silver on one of her 48 linen cloths, to choose between red and white or blue and white porcelain plates, and to plan a menu that offered the finest of food and drink to her guests.

During the summer and fall of 1774 Peyton Randolph became the leader of the colony's opposition to Great Britain's "oppressive" measures. Betty Randolph was expected to set an example, and no doubt stopped serving tea to her guests. How disappointing it must have been for her to put away her Chelsea porcelain tea set, a prized possession that had been given to her by her husband. The new non-importation agreement promised to plug the loopholes and prevent the lack of enforcement that made the 1769 agreement ineffective. The new agreement banned the importation of goods "directly or indirectly" from Great Britain, "the West Indies or any other Place, nor an Article whatever which we shall know, was brought

into such countries from Great Britain." John Greenhow and his fellow merchants could no longer import sugar, spices, dried fruits, almonds, tea, coffee, citrus and tropical fruits for their customers. Peyton Randolph's factor in London now was unable to supply him with sherry, port, madeira, and other fine wines. For Betty Randolph planning a dinner became a difficult task.

Consider the dishes for the second course of dinner that are often shown in a table setting at the Randolph house: a molded blancmange in the center of the table surrounded by an almond pudding, a carrot pudding, ratafia cakes, and Portugal cakes. A blancmange without white wine, lemons, and sugar leaves a tasteless, unappetizing mixture of isinglass, water, and eggs. An almond pudding without almonds, sugar, nutmeg, and sherry loses more than its name. Carrot pudding without sugar and nutmeg might possibly be edible. But how can you make ratafia cakes without almonds and sugar when the only ingredients left are rosewater and eggs, or Portugal cakes without sugar, sherry, currants, and almonds? Unfortunately, Betty Randolph did not record for us how she coped with the changes she had to make in planning a menu as she committed herself to her husband's political beliefs. Cooks today readily find ingredients they need from all over the world, and, in fact, take for granted their availability. Betty Randolph's dilemma gives us a reason to pause and be grateful that our dilemma is an abundance of choices, choices made possible in part by living in that new nation created by the men who "dined at the Speaker's." ■

*Information for this article was provided by Dennis Cotner and Wendy Howell of Historic Foodways. "The Art of Cookery Made Plain and Easy" by Hannah Glasse was consulted for ingredients used in the dishes cited.*



## EDITOR'S NOTES . . .



The editorial staff sends a very special thank you to Donna Sheppard, copy editor extraordinaire, for the many years she has guided this publication through the complexities of English grammar. With reassigned duties, Donna will be concentrating her talents on more weighty Colonial Williamsburg tomes. We will miss you!

The new copy editor for *the interpreter* is Anna Jarvis. Some of you remember Anna from her days as interpreter in the Department of Historic Buildings. Welcome aboard!

### Correction

In the article entitled "Archaeological Evidence for Casement Windows in Williamsburg" by Kelly Ladd (found in the Spring issue of *the interpreter* under the section BRUTON HEIGHTS UPDATE) there was a misprint. **THE DATE 1766 (and not 1774) SHOULD HAVE APPEARED AS THE LATEST DATE FOR A WINDOW LEAD IN THE HISTORIC AREA. IT IS FROM THE ARMISTEAD SITE. (SEE THE ILLUSTRATION BELOW.)** If you have any questions concerning this, contact Kelly Ladd at extension 7336.



Drawing by Heather Harvey

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