
Questions & Answers

Vol. 9 No. 1

February 1988

To commemorate Black History Month, this issue of Questions & Answers highlights important people and events in black history.

January 15, 1929	Birth of Martin Luther King, Jr.
January 25, 1863	First black U. S. Army regiment organized.
February 2, 1870	Fifteenth Amendment ratified, guaranteeing suffrage to black adult males, including former slaves.
February 12, 1926	Dr. Carter G. Woodson started "Negro History Week"
February 18, 1688	Quakers of Germantown, Pa., made the first formal protest against slavery in colonial America.
March 2, 1807	Congress banned the slave trade.
March 5, 1770	Death of Crispus Attucks, a black man, killed in the Boston Massacre.
March 6, 1857	The Supreme Court ruled in the Dred Scott case. The Court determined that Scott could not claim any rights as a citizen because of his race.
March 10, 1913	Harriet Tubman, Underground Railroad "conductor," died.
March 21, 1965	Martin Luther King, Jr., led thousands of marchers from Selma to Montgomery, Ala.
March 24, 1837	Canada gave blacks the right to vote.
April 4, 1968	Martin Luther King, Jr., assassinated.

INDEX SUBJECT: Black History

April 10, 1947 Jackie Robinson joined the Brooklyn Dodgers as the first black major league baseball player.

April 14, 1775 First abolition society in U. S. founded in Pa.

April 17, 1820 First U. S. blacks arrived in Liberia, West Africa.

May 6, 1782 The beginning of the Virginia Assembly session that allowed manumission of slaves by individual owners. Only certain categories of slaves could be freed; the very young, the aged, and the infirm had to be supported by their former owners. State laws regarding manumission in the early 19th century were even more restrictive.

May 12, 1910 N.A.A.C.P. founded.

May 17, 1954 Supreme Court declared segregation in public schools unconstitutional in Brown v. Board of Education.

May 18, 1896 The Supreme Court in Plessy v. Ferguson explicitly sanctioned "Jim Crow" law governing social segregation by declaring "separate but equal" facilities constitutional.

May 26, 1961 Freedom Ride Coordinating Committee established in Atlanta, Ga.

June 1, 1843 Sojourner Truth left N. Y. and began her career as an antislavery activist.

June 2, 1950 U. S. Supreme Court outlawed segregation of dining cars in interstate transportation.

June 8, 1953 U. S. Supreme Court ruling banned discrimination in Washington, D. C., restaurants.

June 12, 1963 Medgar W. Evers, civil rights leader, murdered in Jacksonville, Miss.

June 13, 1967 Thurgood Marshall was appointed as the first black justice on the U. S. Supreme Court.

June 22, 1772 Lord Mansfield issued the "Somerset" decision, abolishing slavery in England.

June 28, 1770 Philadelphia Quakers opened a school for blacks.

July 2, 1964 The Civil Rights Act of 1964 was signed by Lyndon B. Johnson. It prohibited discrimination in the use of federal funds and in places of public accommodation and established an Equal Employment Opportunity Commission.

July 9, 1868 Fourteenth Amendment ratified, securing civil rights for freedmen.

July 11, 1905 W. E. B. DuBois and William Monroe Trotter organized the Niagara Movement, which demanded abolition of all race distinctions.

July 23, 1778 Over 700 blacks took part in the Battle of Monmouth.

July 28, 1917 Thousands of blacks marched down New York City's Fifth Avenue in silent protest of lynching and racial inequality.

August 13-23, 1831 The South's bloodiest slave insurrection in Southampton County, Va., led by Nat Turner.

August 16, 1816 Peter Salem, heroic Bunker Hill soldier and Minuteman, died.

August 20, 1619 The first blacks arrived at Jamestown, Va. They came as indentured servants, not slaves.

August 28, 1963 The March on Washington, the largest civil rights demonstration, led by Martin Luther King, Jr.

September 24, 1957 Nine children integrated Central High School in Little Rock, Ark.

September 29, 1760 The Bray School in Williamsburg opened.

October 5, 1872 Booker T. Washington entered Hampton Institute in Hampton, Va.

October 12, 1793 "The Baptist church of black people at Williamsburg," under the leadership of Gowan Pamphlet, was accepted into the Dover Baptist Association. The Williamsburg congregation had organized by 1781.

October 14, 1964 Martin Luther King, Jr., won the Nobel Peace Prize.

October 16, 1984 South African Bishop Desmond Tutu won the Nobel Peace Prize.

November 17, 1972 Andrew Young, Barbara Jordan, and Edward W. Brooks were among sixteen blacks elected to U. S. Congress.

December 1, 1955 Rosa Parks was arrested for refusing to give her seat on a Montgomery, Ala., public bus to a white man.

December 6, 1865 Thirteenth Amendment ratified, ending slavery in the United States.

December 10, 1950 Dr. Ralph J. Bunche was awarded the Nobel Peace Prize, the first black so honored.

Questions & Answers

Vol. 9, No. 2

April 1988

April is the month for Historic Garden Week(s) in Virginia. We asked Gordon Chappell to answer the following questions most frequently asked by our visitors.

1. How often would house interiors contain plants and flowers? Why are they used in some of the fireplaces?

Because of the scarcity of written information on the use of plants indoors, most of what we know comes from American and English paintings and English print sources of the eighteenth century. Arrangements of the day consisted of a very few types of flowers and give the impression that the flowers were picked at random. From the portraits and paintings that show flower arrangements, the purpose appears to have just been to brighten up a dark corner in the parlor or a lady's room.

Arrangements that were placed on hearths were usually somewhat larger than those used elsewhere. Arrangements in the eighteenth century were typically small and informal, and the number of them in the house was limited.

The skill of arranging flowers was typically taught to young girls, and I suspect that flower arrangements in homes were quite common. In fact, magazines published "how-to" articles intended to aid women and girls in beautifying their homes with flowers.

2. Why was Palace Street lined with catalpa trees, while Duke of Gloucester Street and the Capitol and Market squares were cleared of trees?

Catalpa trees are planted on the Palace green today because they are shown on the Frenchman's Map and mentioned by Thomas Jefferson in his writings.

To understand why the formal rows of trees were planted along Palace green, you must understand the purpose of this public space. The vista and public space functionally served as a ceremonial entranceway leading to the Governor's Palace, hence the perfectly symmetrical spacing of sentinel trees. Duke of Gloucester Street and the Capitol and Market squares served more utilitarian purposes and so were probably not planted with trees.

SUBJECT INDEX: Plants and Gardens

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The planting of catalpa trees along Palace green was obviously an important feature in eighteenth-century Williamsburg. This is one of only four locations in Williamsburg where the Frenchman's Map indicates trees. The others are the College of William and Mary, the Custis site, and near the Capitol.

As to why the city fathers of eighteenth-century Williamsburg chose the catalpa for a street tree, I have no idea. The catalpa (Catalpa bignonioides) is native in the deep South but has become naturalized all along the East Coast. Whether or not the catalpa was commonly known in tidewater Virginia at that time I don't know. I suspect one reason for its use on Palace green was because it is unusual and not generally known. Nonetheless, when the tree is in bloom, it puts on a spectacular show. It should be remembered, however, that they are quick growing, soft-wooded trees that reach maturity and then soon begin to fail.

3. Were seeds and bulbs imported? Exported?

The exchange of plants, seeds, and bulbs between the colonies and the mother country is well documented. In fact, Williamsburg was perhaps the center of this trading enterprise in the first half of the eighteenth century. John Custis is remembered for his plant trading and correspondence with Peter Collinson, the London merchant who also had a similar arrangement with the Bartrams of Philadelphia.

4. Besides the Governor's Palace, how many formal pleasure gardens in Williamsburg are documented?

The gardens at the Benjamin Waller site are well documented and have been rebuilt as accurately as possible. There are many other garden sites in the Historic Area that follow as closely as possible the eighteenth-century layout of the property.

5. Did formal gardens appear on plantations as well as in town?

Yes, depending on the economic stability of the plantations. Eighteenth-century gardens at Carter's Grove have been found on the river side of the house. While we today portray this area as a kitchen or vegetable garden, it is certainly formal in character, geometric and well balanced. Gardens are well documented at other plantations in the South such as Berkeley, Westover, Bacon's Castle, and Middleton Place in South Carolina.

6. Did craftsmen, merchants, minor bureaucrats, etc., have herb and vegetable gardens in town as well as outside of town?

Because the town had been laid out by Governor Nicholson with half-acre lots and houses were required along the street, there was adequate room at the back of lots for gardens, either practical or for pleasure. The American colonist was a practical sort, and conjecture suggests that he had at the least a plot of herbs and vegetables. Recent archaeological excavations at the Peyton Randolph House and Shields Tavern support this conclusion.

Who in the household maintained the garden plot is unclear. Most likely servants or slaves did the work, but maybe the wife or children or possibly even the master if time permitted and he had an inclination toward gardening.

It is unlikely that a merchant or craftsman had garden plots outside of town. There was a well developed delivery system for provisions into Williamsburg from the surrounding countryside and frequent market days. If a craftsman or merchant owned property outside Williamsburg, he likely hired a tenant farmer to operate the it.

7. Who planned the formal gardens? Who planted and maintained them? How were they trained?

The Palace gardens were laid out by Governor Alexander Spotswood, beginning when he came to the colonies in 1710. Earlier a gardener from King William's staff of royal gardeners laid out formal gardens at the College of William and Mary. Other gardens in the village were undoubtedly designed as gardens are often designed today--by the homeowner or someone else in the family. I suspect the gardens of eighteenth-century Williamsburg showed a good deal of diversity, some small and neat, others large and elaborate, and still other garden areas considerably neglected.

8. How was grass trimmed in gardens? In the large public open squares?

The lawn mower didn't come into common use until the late 1860s. Prior to that lawns were cut with a scythe or grazed by sheep or cattle.

They were cut only four or five times during the growing season and in certain areas, such as around public buildings, not even that often. Eighteenth-

and nineteenth-century lawns were rather coarse as opposed to the carpet-like lawns of today.

9. How were bushes sculptured?

Formally clipped shrubs, called topiary, was an integral part of American landscape design in the eighteenth century and was especially popular in the southern colonies. Topiary is the art of shaping plants by careful pruning and shearing into various forms or objects. The gardener has to be something of an artist and sculptor to visualize the right shape needed, and he certainly needs to know the growth habit of plants to force them into the desired forms.

10. How were arbors created?

An arbor is a garden shelter, often of rustic work but usually of wooden lattice work, on which vines, roses, and the like are grown. Some of the arbors in the Historic Area are richly detailed, while others are quite simple. Most are planted with native vines: trumpet vine, Virginia creeper, wisteria, and the like.

Very similar are the pleached arbors at the Palace and Wythe gardens. Pleaching is a method of pruning and training trees to produce a hedge-type wall. The trees are planted relatively close together, the front and back side branches are removed, and the remaining branches form a tight, close-knit wall.

A pleached arbor is two rows of pleached trees that are trained into an archway. The pleached beech trees at the Palace form a covered walkway nearly one hundred feet long. The Palace pleached arbors have no frames inside, although when the arbor was originally installed a wooden frame was needed in the first few years for training.

The pleached arbor at the Wythe House is very different. The arbor is made of American hornbeam and is formed over a wooden frame. The gardeners shear the arbor in midspring, and during the year they "knit-in" the twig growth as it gets long enough to pull inside. There is a similar pleached arbor of hornbeam at the Red Lion garden.

11. What is an espalier?

An espalier is a plant trained to grow in a flat plane against a wall, often in a symmetrical pattern. The plant may be grown directly against the wall or on a trellis in front of the wall. While most espaliers are fruit trees, they may be any ornamental plant such as pyracantha, magnolia, etc.

12. Why were fruit trees grown as espaliers?

The purpose of espaliered plants is to allow the gardener to grow plants that might not otherwise be hardy. The idea here is that the wall the plant is growing on will hold heat and protect the plant. Most practically, the wall does serve to protect the blooms of the fruit trees during a late frost.

A similar technique is called cordon. It is a method of training fruit trees to grow a single main stem and laterals from it that are usually trained along parallel wooden supports. Cordons are still popular in England and Europe but virtually unknown in the United States. The purpose of the cordon is to grow a full-sized fruit tree in a compact form. At the Palace garden you can see single cordons in the vegetable garden and many double cordons in the fruit garden.

Questions & Answers

Vol. 9, No. 3

June 1988

In this issue of Questions & Answers we asked Robin Kipps and her staff at the Pasteur & Galt Apothecary to share with us questions concerning eighteenth-century health care.

1. Under what conditions was bleeding performed?

Bleeding was done as a treatment for inflammation and inflammatory fevers. The most complete description of when to bleed is found in Domestic Medicine . . . by William Buchan, published in 1774.

"Bleeding is proper at the beginning of all inflammatory fevers, as pleurisies, peripneumonies, &c. It is likewise proper in all topical inflammations, as those of the intestines, womb, bladder, stomach, kidneys, throat, eyes, &c.; as also in the asthma, sciatic pains, coughs, head-achs, rheumatisms, the apoplexy, epilepsy and bloody-flux. After falls, blows, bruises, or any violent hurt received either externally or internally, bleeding is necessary. It is likewise necessary for persons who have had the misfortune to be strangled, drowned, suffocated with foul air, the fumes of metals, or the like."

2. What is the eighteenth-century definition of "humours"?

The Galenic humoral concept (dating from ancient Greece) stated that there were four humors--blood, phlegm, black bile, and yellow bile. With the invention of the microscope in the seventeenth century, the definition of humors changed. Under the microscope, blood was seen to consist of many small particles instead of being a homogeneous substance. From this it was concluded that the previously known four humors were just part of the blood, and blood was the starting point of all humors. The definition of "humour" in the Encyclopaedia Britannica for 1771 reads: "HUMOUR, in a general sense, denotes much the same with liquid or fluid." Any fluid of the body was considered a humor, so there were many humors, not just four.

Subject Index: EIGHTEENTH-CENTURY HEALTH.

3. What is the difference between barber-surgeons and surgeons? When were they practicing?

The true surgeon took care of major operations such as amputation, removal of tumors, and plastic surgery of lips and noses. He also performed minor operations. The barber-surgeon performed minor operations such as tooth extraction, bloodletting, and bone setting.

In England a master surgeons' guild was organized in 1368. The Mystery or Guild of the Barbers of London was created in 1462. In 1540 the Guild of Surgeons joined the Company of Barbers to form the United Barber-Surgeon Company. In the early eighteenth century, surgeons started to obtain university training, which improved their reputation, and they achieved social approval. At the same time, the barber-surgeons declined in status and lost their medical functions, though some continued to pull teeth. In 1745 the barbers and surgeons officially separated. No barber-surgeons are known to have been practicing in Williamsburg after 1730.

4. Some of our modern cosmetics and over-the-counter medications contain ingredients used in eighteenth-century medicine. What are some of the more interesting combinations?

Os-Cal tablets contain calcium carbonate from oyster shells and are used as a dietary supplement. In the eighteenth century oyster shell were used to make lime water, which was mixed with linseed oil and used to prevent inflammation in burn cases.

Absorbine Jr. contains absinthe oil, which has counterirritant properties. In the early eighteenth century this oil was used to rid the system of worms and for treating jaundice.

Vick's VapoRub and Listerine contain thymol, which can be made from thyme oil. Thymol is antifungal and antibacterial. One use of thyme oil in colonial pharmacy was to treat toothaches.

Clinique Hair Shaper contains gum tragacanth. Apothecaries preferred this plant gum over others when making their troches, or lozenges.

5. Were there any endemic diseases of note in the eighteenth century?

The following observations come from A New and Complete Dictionary of Arts and Sciences (1754), Volume II, Part 1:

"It has always been observed, that people of particular countries were peculiarly subject to particular diseases, which are owing to their manner of living, or to the air and effluvia of the earth and water."

"Laplanders have often distempers of the eyes, which is owing to their living in smoke, or being blinded with the snow."

In England, the people are "peculiarly afflicted with hoarseness, catarrhs, coughs, dysenteries and consumptions . . . and the children with a disease scarce known elsewhere, which we call the rickets."

"The Dutch are peculiarly subject to the scurvy."

"The Russians and Tartars are afflicted with ulcers made by the cold, of the same nature with what we call chilblanes."

The people of Hungary "are more infested with lice and fleas than any other people of the world."

"In Constantinople the plague always rages."

6. What are some of the modern prescription drugs that have been developed from ingredients used in eighteenth-century medicine?

Crystodigin--a tablet used for treating heart failure. It is derived from the plant digitalis.

ColBENEMID--tablets used to treat gouty arthritis. They contain colchicine obtained from the autumn crocus. In the eighteenth century a syrup prepared from this plant was used to treat gout on a limited basis.

Quinidex Extentabs--tablets used as a cardiac depressant. They contain quinidine sulfate, which is prepared from cinchona trees.

Quinamm Sulfate Capsules--are used as an antimalarial when some of the newer synthetic antimalarials prove ineffective. Quinine, another derivative extracted from cinchona, was prescribed for malaria in the eighteenth century.

Cantharone--a topical liquid for removing certain types of warts. It contains cantharidin, obtained from Spanish fly. One of its colonial uses was in a tincture applied topically to create blisters as a counterirritant.

7. What is the difference between smallpox inoculation and vaccination?

Inoculation refers to the introduction of smallpox matter into living tissue to produce a mild form of the disease that is followed by immunity. Vaccination refers to a suspension of weakened or dead microorganisms to achieve immunity. In the case of smallpox, Dr. Edward Jenner used a smallpox relative, cowpox, to impart immunity. The term vaccination comes from the Latin vacca, which means cow.

8. The definitions of words sometimes change with time. Are there any medical terms that we use today that had slightly different meanings in the eighteenth century?

Contagion, according to the 1771 Encyclopaedia Britannica, is "in physic, the communicating a disease from one body to another. In some diseases it is only effected by an immediate contact or touch, as the venom of the pox; in others, it is conveyed by infected cloaths, as the itch; and in others, it is transmitted through the air at a considerable distance, by means of steams or effluvia expiring from the sick, as in the plague and other pestilential disorders, in which case the air is said to be contagious."

Anesthesia, according to Robert Hooper's A Compendious Medical Dictionary (1801) is "Loss of the sense of touch. A genus of disease in the class locales, and order dysaesthesiae of Cullen."

Antiseptics, again quoting from Hooper's 1801 work, are "Those medicines which possess a power of preventing animal substances from passing into a state of putrefaction, and of obviating putrefaction when already begun."

9. Did people wear braces on their teeth in the eighteenth century?

As you can imagine, teeth and their appearance was a major concern not only in colonial America but throughout history. Pulling rotten or painful teeth was the usual practice of dentistry or "tooth-drawing." By 1757 a French artist, Etienne Bourdet, invented braces for straightening teeth. Sometimes made from metal strips, braces were

usually made of thin curved ivory bands sawn from pieces of animal ivory. The first bicuspid (the teeth right behind what we call the "canines") were pulled, the ivory bands were placed on the front of the teeth, and fastened around the back molars with gold wires. Gradually, over a period of weeks and months, the braces were tightened and adjusted. So, for everyone in period clothing who also wears braces, keep smiling!

10. What were tooth transplants as performed in the eighteenth century?

By the mid-eighteenth century tooth transplantation was the act of having one's teeth pulled, sold at a profit, and the extracted tooth then immediately implanted into the open socket of the waiting recipient. The recipient hoped that the gums and tissue would accept this foreign and very unsterilized object, so the tooth would stay in the mouth and adapt to its new surroundings.

Was this successful? Well, John Hunter thought so. He was a Scotsman, famous for his excellent commonsense approach to medical ideas, and is sometimes still referred to today as the father of modern surgery. Because of his good reputation, when Hunter suggested moving a tooth from one person's jawbone to another's, the whole world took notice. Even though the idea died out in time, tooth transplanting parties were the thing to do. Apparently, people right here in Williamsburg engaged in this activity. Advertisements in a 1769 Virginia Gazette list a Dr. Baker, who offered this service at his place of business (now the site of the Roscow Cole House).

11. When was the toothbrush invented?

According to the Dental Student (April 1976) and the British Dental Association, the first "modern looking" toothbrush was invented in 1780 by William Addis of Clerkenwall, England. (The Chinese had developed a toothbrush of some sort in the fifteenth century.)

Apparently a tanner by trade, Addis found time on his hands while living as a political refugee in the home of another tanner. Whittling on a piece of bone one day, he came up with the idea of the toothbrush. He drilled holes in one end of the bone handle and put into the holes hairs from the tail of a cow. Bone handles were used until the early 1900s, and the bristles were commercially obtained from Russian and Asian boars.

Before Addis's invention, rags, sponges (sometimes attached to a small stick), or sticks with chewed, frayed ends were used. Sometimes a person used his own fingers for brushing. There are references to "toothbrushes" in eighteenth-century Williamsburg records.

12. What were tooth powders?

Many multipurpose household products were suitable for cleansing the teeth, as were specialty items sold in a variety of stores and shops in the eighteenth century. According to a very popular home remedy and beauty book, the Toila de Flora, published in London in 1794, ground cinnamon, chalk, charcoal, sulfur, and dragon's blood (an ingredient found in a dragon palm tree) were used alone or were mixed together into several different combinations. According to the Toila de Flora, sodium nitrate, which is still used today as fertilizer, was the best bleach and whitener. (It's interesting to note that this source discouraged swallowing after cleaning the teeth with sodium nitrate.)

CORRECTION: We have been asked to clarify the answer about catalpa trees on Palace Green from the April 1988 issue of Questions & Answers.

(1) Thomas Jefferson noted on his ca. 1779 drawing of the Palace "the rows of trees 100 f. apart," but he did not say what kind of trees they were. (2) Trees are indicated on the Frenchman's Map of 1782. (3) General de Lauberdiere's July 1782 journal entry mentions the "very fine palace built at the extremity of a handsome street planted with catalpas." De Lauberdiere's is the first statement we have as to the kind of trees. During the restoration, catalpa trees were replanted 100 feet apart along both sides of Palace Green.

Questions & Answers

Vol. 9, No. 4

August 1988

In this issue of Questions and Answers we have collected a number of miscellaneous questions. We hope they will be of interest to you.

1. Who escorted the accused from county to county to Williamsburg? Was it the sheriff or deputy of the county where the crime took place? Or did one of them take the alleged criminal to the county line where the sheriff or deputy of the next county took over? Did the sheriff or deputy have to be at the trial?

Whites accused of felonies, no matter where their crimes were committed or where they were apprehended, were brought to Williamsburg to be tried before the General Court. After being taken into custody and undergoing both a preliminary hearing and an examining court ("Called Court"), the accused was remanded to the county jail if the local officials still considered him or her suspect and thought he or she should be tried by the General Court. (Some prisoners, however, were allowed out on bail.) Two of the county justices prepared a mittimus committing the accused to the care of the Public Gaoler in Williamsburg. The local sheriff had the responsibility for transporting the prisoner to Williamsburg, but usually he appointed a deputy to actually accompany the accused to the capital city. Sometimes the justices also created another document, called a precept, that made the journey to Williamsburg much easier and more secure; it empowered the sheriff or deputy to impress, in any county through which he passed, men, horses, or boats if he deemed them necessary for the safe conveyance of his prisoner. Arriving in Williamsburg, the county official delivered his charge to the Public Gaoler and then notified the clerk of the General Court of the commitment and charge. Because of the paperwork created by local officials, which was transferred to General Court officials, county sheriffs did not usually have to attend General Court trials.

SUBJECT INDEX: Sheriff, Punishment, Fines, Benefit of Clergy, Juries, Passes

- 2. Once the General Court gave out a sentence (other than the death sentence), who administered the punishment? Where did punishments like branding and flogging take place?

It is impossible to give a definite answer to this question because of the lack of General Court records, but it seems that the Public Gaoler often did the branding in open court. Whippings were administered at the public whipping post (probably in the ravine below the old James City County courthouse), but it is not known who laid on the lashes. (If a felon was granted benefit of clergy, the Public Gaoler burned him or her in the hand in open court. In this case, the burning was not a punishment but a permanent sign that he or she had once received this privilege and been exempted from punishment.)

- 3. Who collected fines and where? Where did fines end up--in the county or colony treasury?

Specific use of fines collected was determined by statute. Fines set by the General Court were collected by the sheriff of York County, who turned them in to the colony's Receiver-General. The York County sheriff was allowed to keep a percentage of the fines he collected as part of his income.

- 4. In cases where benefit of clergy was claimed, was the Bible verse (Psalm 51) referred to as the "neck verse"?

Yes. According to the Oxford English Dictionary, the term was in use from 1450 until 1872. But it is important to keep perspective on this term and the whole issue of benefit of clergy. Benefit of clergy did not require reading after 1732 in Virginia (or in England after 1706), so that the "neck verse" became of antiquarian significance thereafter. The benefit was largely a legal fiction that enabled judges to mitigate the severity of the penal laws to the extent that crimes otherwise considered felonies had not been made non-clergyable by statute.

- 5. Is it true that during the colonial period a pass was required for anyone to leave the colony?

In the 1748 revision of Virginia laws there is a law requiring passes for all those traveling by ship out of the colony. (Land travel between colonies is not mentioned.) Specifically, the law makes it the responsibility of ships' captains to investigate passengers and verify that they had suitable passes. This law sought to control the movements of fugitives, debtors, servants, and slaves. The would-be traveler acquired his

pass from the Secretary of the colony or from one of the Secretary's deputies (usually or always the clerk of the county courts). The fee for such a pass was ten shillings throughout most of the eighteenth century.

6. Did the same jury sit for every trial held in the General Court or was a new jury selected for each trial?

Two types of juries--grand and petit--were required for each trial. The grand jury for the General Court met early in the session and dealt with indictments, informations, and other process of the crown. It served for that session or for that year.

The trial or petit juries were different for each case. When the prisoner was delivered to the Public Gaol, the clerk of the General Court issued a writ summoning a jury. By law the members of the jury had to be freeholders from the area where the crime was alleged to have been committed. If those summoned were unavoidably detained or were challenged and found unfit for jury service, the rest of the jury could be made up of "good and lawful freeholders of the by standers" from any part of Williamsburg or within a half-mile radius of the town.

7. Do we have any record of a person being banished from the colony of Virginia for a crime committed during the eighteenth century?

Various colonial Virginia laws made banishment from the colony an alternative to capital punishment. Despite the possibility, there is no evidence that anyone was banished during the eighteenth century. County courts did not have the power to banish free persons (only the General Court could, and there are few records for that court). Naturally I have not read every eighteenth-century record from every Virginia county, but I cannot find a single case of banishment in the eighteenth century. (During the seventeenth century several of Bacon's men were sentenced to banishment for treason.)

There is no Volume 9 Number 5

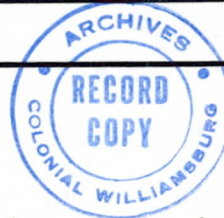
Questions & Answers

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Vol. 9, NO. 6

SPECIAL ISSUE

August 1988



The special issue of Questions and Answers is in response to the many questions about Colonial Williamsburg's new program "Cry Witch." These questions are partly because the program is set in 1706, a period of colonial history we do not normally interpret, and partly because there is a widespread belief that there were no witchcraft cases in Virginia.

The program was researched for two years before it actually entered production. Research continued with the assistance of the cast members during rehearsals, and facts were cleared with the assistance of the research department. The success of the program is due to the excellent and willing cooperation of both the cast and the research department.

1. Were there really witchcraft cases in Virginia?

Yes there were. Contrary to popular belief, "The Devil did visit Colonial Virginia." The first recorded case of witchcraft in British North America originated in Surry County and was tried by the General Court at Jamestown in September 1626. Goodwife Joan Wright, an unfortunate woman who just happened to be a left-handed midwife, was accused by her neighbors of practicing witchcraft. This apparently caused quite a commotion in Surry County.

2. Was anyone ever executed in Virginia because of witchcraft?

Due to incomplete court records, we will never be sure. However, evidence indicates that there were never any court-sanctioned executions. In 1654 a Captain Bennett executed a woman named Kath Grady as his ship approached Virginia waters. When his ship docked at Jamestown, Bennett was called to appear before the Vice Admiralty Court to account for his actions. This case came under Virginia's jurisdiction only because Jamestown was the captain's next port of call.

SUBJECT INDEX: Witchcraft - Witches

3. Do we know of any other convictions?

Yes, and this is the only case where the accused was punished severely. In 1656 in Northumberland County a minister, David Lindsaye, accused William Harding of "witchcraft, soccery, etc." An able jury of twenty-four men found against the accused, and the court ordered that Harding receive ten stripes upon his bare back and be forever banished from the county. He was to depart within the space of two months and was required to pay all charges of the court.

4. How common was the belief in the supernatural in colonial Virginia?

In the seventeenth century belief in witchcraft and the supernatural was inevitable in any English society, and Virginia was no exception. In the eighteenth century Virginians and Englishmen appear to have been more enlightened and began to cast off their superstitions. As late as 1736 witchcraft was still considered a capital offense in Virginia. John Wesley, the founder of Methodism, preached against witchcraft as late as the 1770s.

5. How historically accurate is the Colonial Williamsburg program "Cry Witch"?

"Cry Witch" is based on the story of Grace Sherwood, Virginia's only known witchcraft case in the eighteenth century. We do not know if this case was ever heard by the General Court. Acting as if it was is part of our dramatic license. We have considered the time frame of the case and added or subtracted certain facts for playability, but the program is based heavily on extant court records. Indeed, our biggest problem with the program is that certain essential records were destroyed during the Civil War. These gaps had to be filled in with educated conjecture. Witch or not, Grace Sherwood was a real person who was prosecuted in eighteenth-century Virginia. Even today there are reminders of her in Princess Anne County, now called Virginia Beach. One can still travel down Witch Duck Road, which leads to Witch Duck Pond, the very same route taken by Grace Sherwood on her way to be tested to determine her guilt or innocence.

For further reading, Carson Hudson recommends:

Richard Beale Davis, "The Devil in Virginia in the Eighteenth Century," Virginia Magazine of History and Biography, LXV (1957), pp. 131-149.

Carol F. Karlsin, The Devil in the Shape of Woman Witchcraft in Colonial New England (New York: W. W. Norton, 1987).

Questions & Answers

Vol. 9, NO. 7[?] No. 5[?]

October 1988

During this election year many of our visitors will be thinking of themselves as voters and about the way their own communities are governed. In this issue we have answered questions about qualifications for voting and how and where the elections took place in eighteenth-century Virginia.

1. Who was eligible to vote in Virginia in the eighteenth century?

Suffrage was granted only to free white males, age 21 and over, who met certain other qualifications. Women could not vote. Indians and Negroes, whether free or slave, were disenfranchised. The Virginia election laws did not mention religion except to require that qualified Quakers make affirmation before voting.

2. What were the other qualifications for enfranchisement?

So far as free white adult males were concerned, franchise requirements were not very exclusive. Freeholders could vote who owned (or had a lifetime lease to) either 25 acres with a house and plantation or a house and part of a lot in a town. There were other additional ways to qualify as a voter. Freeholders with land that did not conform to these regulations and men owning no land at all could vote if they had \$50 visible property (cash or possessions). In addition, male heads of households in Williamsburg and Norfolk who had served five-year apprenticeships in a trade in either of those towns could vote. Everyone eligible to vote may not have exercised that right, but it cannot be said that a large mass of free adult white males was disenfranchised in colonial Virginia.

3. How were elections ordered?

The first step in the election of burgesses was the issuance of a writ from the governor ordering an election. The writ was directed to the sheriff, and it was returnable by the date (usually six or eight weeks later) indicated in the document. The sheriff decided the time for holding the election, usually several weeks in the future and on a county court day. Copies of the writ with time and place were sent to parish ministers and to readers of the churches and chapels in the county. It was their duty to announce this information each Sunday until election day.

SUBJECT INDEX: Elections - Voting

4. Were voters registered before elections?

Voters were not registered before elections, and there were no officials to turn unqualified men away from the polling place; however, the sheriff could refuse to take the vote of a man whom he knew to be disqualified, and each candidate had the right to challenge any voter and to require that he swear that he met the legal requirements.

5. Were elections held in a special room in courthouses?

The election was usually held in the courtroom, though sometimes in good weather it was moved out to the courthouse green. Activity centered around the clerk's table. Behind it sat the sheriff, usually flanked by several of the ranking justices of the county, and at the extreme ends sat the candidates.

6. Were there set times for polls to open and close?

When the sheriff thought that all was in readiness, which was likely to be mid-morning after most of the voters had time to assemble, he opened the election by reading the writ that had ordered the election. When the sheriff decided that all of the freeholders present had voted in an election, he went to the door of the courthouse and called out three times: "Gentlemen freeholders come into court, and give your votes, or the poll will be closed." The decision to close the polls was solely the sheriff's. Voters usually knew the outcome before starting back to their homes.

7. How were votes recorded?

Before the voting began, each clerk wrote at the top of a sheet of paper the name of his candidate. The paper was ruled and the lines numbered so that one could tell at any moment in the election exactly how many votes each candidate had.

8. When were the names of the successful candidates submitted to the House of Burgesses?

After the election, the sheriff attached to the writ a certificate containing the names of those who had been elected and transmitted these documents to the house. The Committee of Privileges and Elections examined these papers and reported its findings to the house.

9. Were all members of the House of Burgesses from the gentry?

In colonial Virginia, as in England, the elected members of the legislature in the eighteenth century came mostly from families of the gentry. But some were of middle-class origin, men who had accumulated ample estates or had risen through the learned professions into the upper class. In a few instances, former indentured servants and other men of rude beginnings ultimately became substantial planters and obtained a seat in the House of Burgesses. Consequently, there was always a sprinkling of somewhat less sophisticated burgesses from the frontier counties.

Questions & Answers

Vol. 9, No. 8

December 1988

We have limited this month's issue of Questions & Answers to one question on dueling because this interesting subject required a lengthy explanation rather than a short response.

Q. Was dueling legal in colonial Virginia?

A. Dueling was not legal in Virginia. Fighting the duel and its consequences were punishable by law. Even if neither party was injured, the participants could have been arrested for taking part in an affray. (An affray is defined as the fighting of two or more persons in a public place, "to the terror of his majesty's subjects.") If a party was injured, the other party could have been arrested for the misdemeanor. If one of the parties was killed, the other party was guilty of murder, a felony by statute.

In both George Webb's The Office and Authority of A Justice of the Peace, published in Williamsburg in 1736, and in Richard Starke's The Virginia Justice, the principle was clearly set forth, that to kill a man in a duel was murder. Starke also quoted the following portion of William Hawkins's A Treatise of the Pleas of the Crown (1724):

But the law so far abhors all Duelling in cold Blood, That not only the Principal who actually kills the other, but also his Seconds are guilty of Murder, whether they fought or not; and some have gone so far as to hold, That the Seconds of the Person killed are also equally guilty, in respect of that Countenance which they give to their Principals in the execution of their Purpose, by accompanying them therein, and being ready to bear a Part with them . . .

Thus until the Revolution taking part in a duel was punishable by law in Virginia. Even the issuing of a challenge was a punishable offense.

In July 1775 the Convention of Delegates for Virginia passed an ordinance for the raising and regulating of a military force. Article XI reads as follows:

No officer or soldier shall use any reproachful or provoking speeches or gestures to another, nor shall presume to send a challenge to any

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person to fight a duel; and whosoever shall knowingly and willingly suffer any person whatsoever to go forth to fight a duel, or shall second, promote, or carry any challenge, shall be deemed as a principal; and whatsoever officer, or soldier, shall upbraid another for refusing a challenge, shall also be considered as a challenger; and all such offenders, in any of those or such like cases, shall be punished at the discretion of a general court-martial.

This law pertained to the military but not to the general public. It is important to emphasize that the proliferation of dueling in the South was largely a post-Revolutionary phenomenon. There is little evidence of dueling in colonial Virginia. The Virginia Gazette gives ample press coverage to duels fought elsewhere, especially in Europe and England, and to the subject of dueling in general, but the only Virginia duel to appear in the surviving issues of the Gazette is the abortive duel between Dr. Arthur Lee and Mr. James Mercer that was to be fought near Williamsburg in 1767. It doesn't seem likely that the illegality of dueling kept it out of the papers because Mercer and Lee took up several columns of several Gazettes in vituperative accusations of cowardice when each went to the appointed place and failed to find the other. (It is apparent from the accounts given that the participants each went to the place at a different day and time.) Thus there is very little evidence of dueling here in contemporary documents.

NOTE:

It has been a while since we have received questions from our interpreters. When questions do come up during breakroom discussions, please jot them down on a piece of paper and send them to Jane Strauss at the Greenhow Lumber House or call her on Ext. 7619.