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PAPER 17

THE EFFECT OF BACON'S REBELLION
ON GOVERNMENT IN ENGLAND AND VIRGINIA

Wilcomb E. Washburn

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FIGURE 1.—Virginia in 1676. This map, which appeared in John Speed's *A Prospect of the Most Famous Parts of the World* (London, 1676), is derived largely from Augustine Herman's important map of Virginia and Maryland in 1670. Photo courtesy of Virginia State Library, Richmond.

THE EFFECT OF BACON'S REBELLION ON GOVERNMENT IN ENGLAND AND VIRGINIA

Bacon's rebellion, familiar to all students of the history of 17th-century colonial Virginia, influenced both directly and indirectly governmental institutions in Virginia and in England.

The Virginia turmoil may well have influenced the change in English foreign policy whereby Charles II allied himself with the Dutch and broke his secret alliance with Louis XIV of France.

However, the evolution toward self-government in the Virginia colony is seen to be not a result of rebel striving during the uprising, but mainly a product of the loyalists' reaction, after the rebellion had been put down, to the heavy-handed policy of the commissioners sent by the King to investigate its causes.

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BACON'S REBELLION burst with a flash across the politics of 17th-century England and America. It had important effects on the executive, judicial, and legislative branches of government on both sides of the Atlantic. In the executive sphere it revealed the incompetence of kingly rule of a distant colony in crisis. It proved, furthermore, the inability of the King's governor-on-the-scene to command obedience among an armed, angered, and scattered populace.

NOTE.—This paper was read at a session of the American Committee of the International Commission for the History of Representative and Parliamentary Institutions, at the annual meeting of the American Historical Association in Washington, D.C., December 29, 1958.

In the judicial sphere it showed that the King's legal advisers were uncertain as to how the King could deal with rebellion by his colonial subjects. In Virginia the result of this uncertainty was judicial chaos and internal bitterness. In the legislative sphere the rebellion caused a financial pinch in England, which seriously weakened the position of Charles II in his dealings with Parliament. In Virginia the rebellion led to an assertion on the part of a loyalist, not rebel, House of Burgesses of the right of a colonial assembly to privileges identical to those enjoyed by Parliament.

In the past Bacon's Rebellion has been thought of as a revolution for independence and democracy that failed because it began too soon. Bacon has tradi-

tionally been the hero of the piece, and Governor Sir William Berkeley the oppressive villain against whom the freedom-loving Virginians were forced to rebel. I have tried to dissolve this illusion in my book *The Governor and the Rebel: A History of Bacon's Rebellion in Virginia* (University of North Carolina Press, 1958), and I will avoid repeating the documentation cited there. Briefly, my argument states that there is no evidence to show that Bacon was a democratic reformer, and no evidence to prove that Berkeley's intent was to frustrate the aim of reform.

The conflict actually arose over a difference of opinion on Indian policy: Bacon desired to raise volunteers to exterminate all Indians, while Berkeley tried to maintain a distinction between "foreign," enemy Indians and dependent, friendly ones. In the course of events Bacon and his followers stormed into Jamestown to force from the frightened Assembly of June 1676 a commission empowering the rebel to fight the Indians in his own way. A civil war ensued. At first Bacon had the upper hand. But Berkeley eventually succeeded in making the rebel leader, as the Governor put it, "acknowledge the lawes are above him."¹ Victory was not obtained, however, until after Bacon's death in October 1676.

This paper will take up the effects of Bacon's Rebellion first on the executive, then on the judicial, and finally on the legislative bodies of England and Virginia. The subjects will be discussed in the order given, for that was the order in which the rebellion affected governmental institutions on both sides of the Atlantic.

Effect on Executive Branches

Bacon's Rebellion showed that the Crown's representative in Virginia, 70 years after the first settlement, was able to lead or restrain the colonists in ordinary matters but could not control them when they became aroused. The race issue, precipitated by mutual Indian-white murders on the frontier, provided the "cause" that fired men who were already tired of poor crops, bad weather, and low prices and who were

looking for an escape from their misery. After the Virginia colonists had been so roused, even Governor Berkeley, who enjoyed great popularity, was unable to control them. There is little doubt that Berkeley was a popular leader from 1641, when he was appointed Governor, until the time of the rebellion in 1676. Assertions of his declining popularity after 1660, following his unanimous election by Virginia's House of Burgesses and Council in the Parliamentary period, are based on very scanty evidence indeed.

This successful defiance of authority was made possible by the improved status of the individual Virginian, who, until the onset of economic depression and the Indian threat immediately prior to the rebellion, was enjoying security and affluence unknown in the shaky early years of settlement. The planters were favored by their number and location. There were 40,000 of them spread out from the ocean to the falls of the Potomac River and south from that river to Albemarle Sound. Another element in their favor was that their arms were equivalent to any that could be brought against them by the government. The situation was fully comprehended by the Governor, who wrote: "How miserable that man is that Governes a People wher six parts of seaven are Poore Endebedted Discontented and Armed."²

The Governor's role was weakened not only by the growing power of the people but by the creation of rival authorities in the colonies. In 1673, by an "Act for the Encouragement of Trade," Parliament had introduced into the colonies customs collectors who were not responsible to the local government at all, but directly accountable to the Crown in England.³ The customs collector for Virginia, Giles Bland, from the moment of his arrival was entangled in violent controversies with Governor, Council, and House of Burgesses. Bland finally died in a hangman's noose for helping Bacon initiate the rebellion.

The physical requirements of a Virginia governor's job were staggering. Early in June of 1676, even before the full effects of the rebellion had burst upon him, the 70-year-old Governor wrote to Secretary Coventry asserting that "I am so over wearied with riding into al parts of the country to stop this violent rebellion that I am not able to support my selfe at this age six

¹ William Berkeley's "Declaration and Remonstrance" of May 29, 1676, in the Henry Coventry Papers (hereinafter cited as Longleat), vol. 77, folios 157-158. The Longleat papers are preserved at Longleat, estate of the Marquis of Bath. Microfilm copies of these papers are available in the Microfilm Reading Room, Library of Congress.

² William Berkeley [to Thomas Ludwell], July 1, 1676, Longleat, vol. 77, folio 145.

³ Archibald P. Thornton, *West-India Policy Under the Restoration*, Oxford, 1956, p. 164.



FIGURE 2.—Charles II. From portrait by J. M. Wright in National Portrait Gallery, London.

months longer and therefore on my knees I beg his sacred majesty would send a more vigorous Governor."⁴

Not only the Governor of the colony but the King himself was unable to prevent or control crises in the colonies. The speed with which decisive events fol-

lowed one another in Virginia required that adequate forces be available in the threatened colony and subject to the direction of officials on the spot. Average passage time for ships from Virginia to England was a month and a half,⁵ but it could be shaved to about a

⁴William Berkeley to Henry Coventry, June 3, 1676, Longleat, vol. 77, folio 103.

⁵Arthur Pierce Middleton, *Tobacco Coast: A Maritime History of Chesapeake Bay in the Colonial Era*, Newport News, Virginia, 1953, p. 8.

month. Added to this delay was the time consumed by the writing of letters and getting them aboard ship, and by the slowness of the King and his ministers in coming to a decision in England—particularly when the monarch was enjoying the pleasures of Newmarket. Consequently, six months often elapsed before answers to burning questions were forthcoming.

The royal decisions concerning the rebellion were made directly by the King and his closest advisers on the Committee for Foreign Affairs, not by the Committee for Trade and Plantations or by the Privy Council. The documents at Longleat (the estate of the Marquis of Bath in Wiltshire), which contain Secretary of State Henry Coventry's minutes of the meetings of the Committee for Foreign Affairs, commonly known as the "cabinet council," demonstrate conclusively that all vital decisions concerning the rebellion were made by this informal group of top advisers. The Privy Council and the Lords Committee for Trade and Plantations tended to be agencies that gave their stamp of approval to policy already decided.⁶ The exact composition of the cabinet council is uncertain, but no doubt it changed from time to time. During the period of Bacon's Rebellion this council probably included the King; the Duke of York; Thomas Osborne, Earl of Danby, the Lord Treasurer, then assuming a new and more powerful role;⁷ Sir Heneage Finch, the Lord Chancellor; and either or both of the Secretaries of State, Coventry and Williamson.

At the meetings of the King and his close advisers, which often took place on Sunday, pertinent informa-

tion received from Virginia by Secretary of State Coventry would be presented. Unfortunately—principally through the instrumentality of Giles Bland, the King's collector of customs in Virginia, who had the last viewing of all ships leaving the colony—too few letters were received from the loyalists and too many from Bacon's supporters. The King and his council also considered letters and petitions from the three Virginia agents in England: Francis Moryson, Thomas Ludwell, and Robert Smith. These men had been sent by the colony to obtain a new charter guaranteeing land titles and personal liberties of the settlers against infringement by grants that the King had carelessly made to some of his court favorites. The Crown did not ignore these representatives. Moryson was once even commanded to present his views and those of his fellow agents directly to the King.⁸

Early in July of 1676 King Charles II decided to send 300 troops to Virginia. This decision was partly taken on the advice of the Virginia agents who had informed him that 300 would be a sufficient number of soldiers to put down the rebellion while more would be burdensome to the country. When the agents belatedly discovered that the King intended the colony to be responsible for supporting the soldiers, they boldly asserted that the charge would be "insupportable" and that they had no power to commit the colony to any such obligation. They begged the King to defer his decision until he had heard the opinion of the Virginia Assembly. When later in the summer news of the rebellion became worse and Charles II again made plans to send troops, the agents, who were by that time plunged in gloom, urged him to wait until more troops could be raised. By November, when about 1,000 troops finally did leave England bound for Virginia, they were too many and too late.⁹

⁶ Wilcomb E. Washburn, "Bacon's Rebellion, 1676-1677," Harvard University, doctoral dissertation, 1955, ch. 7; Longleat, vols. 77, 78, *passim*.

⁷ Stephen B. Baxter, *The Development of the Treasury, 1660-1702*, Cambridge, Massachusetts, 1957, pp. 262-263. We are indebted to Andrew Browning's *Thomas Osborne, Earl of Danby and Duke of Leeds, 1632-1712* (Glasgow, 1944-1951, 3 vols.) for detailed knowledge of the powerful role played by Danby. That the members of the cabinet council varied in number at this time is indicated by the statement of Secretary of State Henry Coventry to John, Lord Berkeley, Sir William's brother, December 26, 1676, that "The Truth is either Sickness, busyness or Devotion have made the Meetings of the Committee of forreigne Affairs so rare, and those that Compose it so few, that I have not had the opportunity of speaking to the King, and the Lord Treasurer together since the writing my last to your Excellency" (Letter-Book of Coventry, British Museum, Additional MS. 25119, p. 75, quoted in Edward Raymond Turner, *The Cabinet Council of England in the Seventeenth and Eighteenth Centuries, 1622-1784*, Baltimore, 1927-1928, vol. 1, p. 70).

⁸ Francis Moryson to "My Lord," September 7, 1676, Longleat, vol. 77, folio 208.

⁹ Henry Coventry draft letter, July 10, 1676, Longleat, vol. 91, folio 17; notes taken at the July 12 and July 13, 1676, meetings of the "Committee of Forreign Affairs," *ibid.*, vol. 77, folios 150, 152; Henry Coventry, "Heads of dispatches for Virginia," August 22, 1676, *ibid.*, folios 187-191, 297-298; memorandum endorsed "Instructions Given at the Committee for Forrain Affaires September 1, 1676 Concerning Virginia," *ibid.*, folios 195-196; Francis Moryson to "My Lord," *ibid.*, folio 208; "Particulars to be considered in the dispatch of Sir John Berry to Virginia," October 3, 1676, Pepys Papers, Rawlinson MSS., Class A, vol. 185, folios 259-260, Bodleian

The fact that Bacon's Rebellion took up the time and thought of England's greatest men for such a considerable period of time had an effect on the King's attitude toward the colonies. The monarch saw how little he knew of colonial affairs and, in the words of Secretary Coventry, determined "to be a little better acquainted with those that bear offices in his Plantations than of late he hath been . . . and let them know, they are not to govern themselves, but be governed by him."¹⁰

Yet the King's new interest in the colonies did not automatically result in their better administration. The King's attempt to enforce order was almost hopelessly inadequate. Governor Berkeley was as much inconvenienced by having royal troops in Virginia after the rebellion as he had been by not having them there during it. The soldiers' failure to arrive in time to help against the rebels increased the Governor's wartime difficulties. Their arrival after the rebellion complicated the Governor's supply and shelter problems. The troops were to a large extent dependent on the populace. Their pay, which was supposed to come from England, rarely arrived, and as a result even greater burdens fell upon the Virginians. Thus the soldiers' presence weakened rather than strengthened the royal authority. In 1678, after exhausting all local resources for support of the royal troops, the Virginia Council was forced to beg the English government to take quick action in order to prevent the redcoats from either starving or raising a mutiny.¹¹ Thus, in 1677 and in the following years, Virginians were experiencing the difficulties brought about by the presence of a standing peacetime army. These inconveniences were similar to the difficulties that American patriots were to suffer in the following century.

In the judicial branches of the English government, Bacon's Rebellion caught administrators dozing. The King's Governor was not clearly authorized to institute martial law and wage war against fellow Englishmen. He was empowered to wage war against the Indians but not against rebel colonists.¹² The Governor assumed, however, that he had the right to put down rebellion, if not by the positive authority of his commission, at least by the natural law of self-preservation.¹³ The English authorities were uncertain as to the judicial powers the King's Governor actually possessed in an emergency, and they prepared orders and commissions specifically authorizing Berkeley to apply martial law and to try and convict rebels. The most important document in which this authorization appeared was the so-called "Virginia Charter" of October 10, 1676, which promised security to Virginia landholders threatened by royal grants of parts of Virginia to court favorites. This charter gave the Governor and Council of Virginia "full power and authority to hear and determine all treasons, murders, felonys and other offences committed and done within the said government so as they proceed therein as near as may be to the laws and statutes of this kingdome of England."¹⁴ There has been much confusion

¹² Wilcomb E. Washburn, "The Humble Petition of Sarah Drummond," *William and Mary Quarterly*, ser. 3, July 1956, vol. 13, pp. 366-367 and footnote 45. See also the King's commission to Governor Berkeley, July 31, 1660, in *The Southern Literary Messenger*, 1845, vol. 11, pp. 1-5. Matters of war and peace were discussed in terms of the Indians, but the King also authorized the Governor "to direct and Govern, correct and Punish our Subjects now inhabiting or being, or which shall hereafter inhabit or be in Virginia, or in Isles, Ports, Havens, Creeks, or Territories thereof, either in time of Peace or Warr . . ."

¹³ In October 1676 Attorney General Jones asked Francis Moryson, one of the Virginia agents and later King's commissioner, whether a commission from England to declare martial law in Virginia should be issued to Berkeley. Moryson answered that the Governor already had as much authority as the attorney general could give him: "all places will naturally have as much of that, as they need in time of warr: For martial Law is (as I take it) but a branch of the Law of Nature, by whose impulse wee are commanded to defend ourselves, and if opposed by multitudes, then to resort to multitudes to defend us." (Colonial Office Papers, ser. 5, vol. 13⁷¹, pp. 6-12, Public Record Office, London).

¹⁴ William Waller Hening, *The Statutes at Large . . . A Collection of All the Laws of Virginia . . .*, New York, 1823, vol. 2, pp. 532-533.

Library, Oxford; Thomas Ludwell to Henry Coventry, October 5, 1676, Longleat, vol. 77, folio 231; Samuel Pepys to Sir John Berry, November 14, 1676, in J. R. Tanner, ed., *A Descriptive Catalogue of the Naval Manuscripts in the Pepysian Library at Magdalene College, Cambridge*, vol. 3, in *Publications of the Navy Records Society*, 1909, vol. 36, no. 3443.

¹⁰ Henry Coventry to Sir Jonathan Atkins, governor of Barbados, November 21, 1677, in Letter-Book of Coventry, British Museum, Additional MS. 25120, p. 120.

¹¹ Thomas Ludwell [to Henry Coventry] in letter dated June 28, 1678, Longleat, vol. 78, folio 264; Herbert Jeffreys to Henry Coventry, July 4, 1678, *ibid.*, folio 269; Philip Ludwell to Henry Coventry, June 16, 1679, *ibid.*, folios 386-387.



FIGURE 3.—The Great Seal of England. This fourth seal of Charles II was used between 1672 and 1685. On the night of February 7, 1677, an attempt was made to steal the Great Seal from the house of Lord Chancellor Finch. The thief, Thomas Sadler, missed the seal, which was lying under the Lord Chancellor's pillow; however, he made off with the mace and the purse for the seal, and, attended by his confederates, made a mock procession with these items near the Lord Chancellor's house. The escapade cost Sadler his life by hanging. The seal and counterseal are described in A. B. Wyon, *The Great Seals of England* (London, 1887, nos. 143, 144, and pl. 37). Photos courtesy of the Department of Manuscripts, British Museum, London, Seal lxxvi.1.

concerning the charter.¹⁵ A more generous charter had been drafted and authorized by the King on November 19, 1675, and again on April 19, 1676, to pass under the Great Seal of England.¹⁶ This earlier

document had, however, despite the importunities of the Virginia agents, mysteriously failed to be put into effect. Finally, on May 31, 1676, the King directed the Lord Chancellor *not* to put the Great Seal on the Virginia patent.¹⁷

The reasons for the initial delay and final disapproval of the original charter are obscure, but Bacon's Rebellion was not responsible. Probably the tobacco merchants, the farmers (collectors) of the Virginia customs, the lords who would be deprived of the full fruits of their grants, and a few of the more

¹⁵ Edward Channing, *A History of the United States*, New York, 1936, vol. 2, p. 64, footnote 3; Thomas Jefferson Wertebaker, in an introduction to a printing of the original unsuccessful charter, *Virginia Magazine of History and Biography*, 1948, vol. 56, p. 264; George Bancroft, *History of the United States*, Boston, 1856, vol. 2, p. 211 (final revised edition, New York, 1883, vol. 1, p. 454).

¹⁶ Hening, *op. cit.* (footnote 14), p. 531; John Daly Burk, *The History of Virginia*, Petersburg, Virginia, 1804-1805, vol. 2, p. 249; Minutes of the Court at Whitehall, April 19, 1676, Longleat, vol. 77, folio 70.

¹⁷ W. Noel Sainsbury, ed., *Calendar of State Papers, Colonial Series, America and West Indies, 1675-1676*, London, 1893, no. 935.



FIGURE 4. Heneage Finch, Earl of Nottingham, holding the purse in which the Great Seal was carried. He was Lord High Chancellor from 1675 to 1682 and Lord Keeper of the Great Seal from 1673 to 1682. The attempt of the Virginia agents to have their charter passed quickly under the Great Seal in 1676 was frustrated. This painting, after Michael Wright, is reproduced with permission of the owner, the Marquis of Bath. Photo courtesy of the Courtauld Institute of Art, London.

suspicious members of the King's council got together to resist the decision.

A totally new situation was created, however, when news of Indian troubles and rising discontent among the English colonists reached England. The Virginia agents appealed for reconsideration. The King and his cabinet council, justly worried by the bad news that arrived in early August concerning Bacon's actions in June, determined to allow the Virginians a new charter, which was finally issued on October 10. There can be little doubt that part of the reason for the passage of this charter was to assure Virginians that they did, indeed, own the land they were defending against the Indians and the rebels. The charter was a declaration of immediate dependence on the Crown (barring the possibility of an intermediate lord proprietor) and confirmed all land titles. It is true that the final charter was less liberal than that originally authorized, but it hardly deserves William Waller Hening's description of it as "a miserable skeleton . . . containing little more than a declaration of the dependence of the colony on the

crown of England."¹⁸ It granted many of the original demands of the colony, omitting only those which may have been considered detrimental to the King's prerogative or inexpedient in the existing circumstances. A promise not to tax Virginia but by her own consent, and a promise to consult the Virginia authorities before any more prejudicial land grants were made, might, if granted, have given the colonists the idea that they could bind the King's arms by rebellion. Similarly the colony's incorporation, which the Virginians had requested so that they could negotiate the purchase of the land that had been granted to the King's favorites, might have been considered an encouragement to the sort of intransigency practiced

¹⁸ Henry Coventry (in "Heads of dispatches for Virginia," August 22, 1676, Longleat, vol. 77, folios 190, 29") notes "My Lord Chancellour to passe their Patent, according to the Heads allowed at the Foreigne Committee" and "To vacate the other two Patents complained of"; see also Hening, *op. cit.* (footnote 14), p. 519.



By the King.

A P R O C L A M A T I O N

For the Suppressing a Rebellion lately raised within the
Plantation of Virginia.

C H A R L E S R.



Whereas Nathaniel Bacon the Younger, of the Plantation of Virginia, and others his Adherents and Complices being Persons of mean and desperate fortunes have lately in a Traiterous and Rebditions manner levyed War within the said Plantation, against the Kings most Excellent Majesty, and more particularly being Assembled in a Warlike manner to the number of about five hundred Persons, did in the Month of June last past; Suborn & Seduce the Governour and Assembly of the said Plantation: then met together about the Publique affairs of the same Plantation and did by Petitions and Threats of present Death compel the said Governour and Assembly to pass divers pretended Acts: To the end thereof that the said Nathaniel Bacon and his Complices may suffer such punishment as for their Treason and Rebellion they have justly deserved. His Majesty doth by this his Royal Proclamation) Publish and Declare, That the said Nathaniel Bacon, and all and every such Persons and Person, being his Majesties Subjects within the said Plantation, as have taken Arms under, willingly joynd with, or assisted, or shall hereafter take Arms under, willingly join with, or assist the said Nathaniel Bacon, in raising or carrying on the War (by him as aforesaid levyed) are and shall be guilty of the crime of high Treason. And his Majesty doth hereby strictly Charge and Command all his Lo-

King Subjects, That they do use their utmost endeavours to Apprehend and Secure the Persons of the said Nathaniel Bacon, and of all and every the said Complices, in order to the bringing of them to their Legal Trial. And for the better encouragement of his Majesties said Loving Subjects to Apprehend and bring to Justice the said Nathaniel Bacon (who hath been chief Contriver and King-leader of the said Rebellion) his Majesty doth hereby Declare, That such Person or Persons as shall Apprehend the said Nathaniel Bacon, and him shall bring before his Majesties Governour, or other Commander in Chief of his Majesties Forces within the said Plantation, shall have as a Reward from his Majesties Royal Bounty, the sum of Three hundred pounds Sterling, to be paid in Money by the Lieutenant Governour. And because it may be probable that many of the Adherents and Complices of the said Nathaniel Bacon may have been seduced by him into this said Rebellion, by speeres, though false pretences; his Majesty out of his Royal Mercy and Compassion to his seduced Subjects, doth hereby Declare, That if any of his Subjects who have or shall have engaged with, or adhered to the said Nathaniel Bacon in the said Rebellion, shall within the space of Twenty days after the publishing of this his Royal Proclamation, submit himself to his Majesties Government, & before the Governour, Deputy Governour, or other Commander in Chief of his Majesties Forces within the said Plantation, take the Oath of Obedience mentioned in the Act of Parliament made in England in the Third year of the Reign of his Majesties Royal Grandfather, and give such Security for his future good behaviour, as the said Governour, Deputy Governour, or Commander in Chief shall approve of, That then such Person so submitting, taking such Oath, and giving such Security, is hereby pardoned and forgiven the Rebellion and Treason by him committed, and shall be free from all punishments and forfeitures for or by reason of the same. And his Majesty doth hereby further Declare, That if any of his Subjects who have engaged, or shall engage with, or have adhered, or shall adhere to the said Nathaniel Bacon in the said Rebellion, shall not accept of this his Majesties gracious offer of Pardon, but shall after the said Twenty days expired, persist and continue in the said Rebellion, That then such of the Servants or Slaves of such Persons so persisting and continuing such Rebellion, as shall render themselves to, and take up Arms under his Majesties Governour, Deputy Governour, or other Commander in Chief of his Majesties Forces within the said Plantation, shall have their Liberty, and be for ever Discharged and free from the Service of the said Offenders. And to the intent his Majesty is to remove from them all just Grievances, his Majesty doth hereby make known to all his said Subjects, That he hath not only already given particular Instructions to his Governour, to reduce the Salaries of the Members of the Assembly into the said Plantation, Herbert Jeffreys Esq; Sir John Berry Knight, and Francis Monlon Esq; his Majesties Commissioners, to inquire into, and report to his Majesty all such other Grievances as his Majesties Subjects within the said Plantation do at present lie under, to the end that such relief and redress may be made therein, as shall be agreeable to his Majesties Royal Wisdom and Compassion. And although the pretended Acts or Laids made in the said Assembly of June last (being in manner aforesaid obtained) are in themselves null and void, yet to the intent no Person may pretend Ignorance, his Majesty hath thought fit hereby to Declare and Publish his Royal pleasure to be, That all and every Act and Act, made or pretended to be made by the said Governour and Assembly in the late Grand Assembly held at James City in the Month of June last past, shall be taken and held as null and void, and shall not for the future be observed or put in execution. Given at Our Court at Whitehall this Seven and Twentieth day of October, 1676. In the Eighth and twentieth year of Our Reign.

GOD SAVE THE KING.

LONDON, Printed by the Assigns of *John Bill* and *Christopher Barker*, Printers to the Kings most Excellent Majesty, 1676.

Figure 5.—King's proclamation of pardon. From Henry Coventry Papers at Longleat, vol. 77, folios 263, 265. Reproduced by permission of the Marquis of Bath.



FIGURE 6.—Jeffreys' Regiment of Foot (1676–1682). Reproduced with permission of The Company of Military Collectors & Historians, *Military Uniforms in America*, 1961, pl. 199.

by the corporation of The Governor and Company of Massachusetts Bay in New England. So, although it was in one sense responsible for limiting the charter's scope, Bacon's Rebellion was also responsible for the charter's final approval.

Partly as a result of the confusion concerning the facts of the difficult Virginia situation and the uncertainty as to where authority lay in the colony, the English government decided to create a new commission consisting of three men who were to determine what had caused the rebellion in the colony and to aid in correcting any abuses found. This move resulted in further uncertainty concerning the rebellion and the lines of authority in Virginia. Immediately on their arrival in Virginia the commissioners began to question many of the legal procedures that Berkeley had adopted. The commissioners induced Berkeley to switch from courts martial to civil trials for captured rebels. They also tried to persuade him to grant the defeated rebels full pardon

by publishing rather than suppressing a printed proclamation in the King's name that had been designed to induce active rebels to surrender. Furthermore, the commissioners took up the defense of rebels whose property had been confiscated by the loyalist forces in the last stages of the war.

Berkeley refused to accept the commissioners' interpretation of his authority on grounds that appear to this writer to be justifiable. Not only on the issues mentioned above but also on numerous smaller matters involving the legal relationship of the victorious loyalists to the defeated rebels, Berkeley and the commissioners clashed. Finding the commissioners adamant, Berkeley appealed to the King, to the Privy Council, and to "the learned judges of the law." He failed, however, to get support from these sources. Attorney General Jones' opinion was evasive, and Charles II was in no mood to let his father's course of action in the English civil wars—to which precedent Berkeley particularly appealed—serve as a justification for the Virginia governor.¹⁹

The result of these disagreements in matters of law was operational chaos. The Virginia Governor issued his own proclamation of pardon jointly with the King's printed proclamation even though Berkeley's proclamation modified that of the monarch. Flagrant rebels went scot free. Plundered loyalists found the courts closed to their pleas for justice. The Assembly's act allowing recovery of stolen property was disregarded by a new Governor who complained that Virginia's representative body, "instead of making an Act of Oblivion, have made a Statute of Remembrance, to last and intayle trouble from one Generation to another. . . ." ²⁰

Effect on Legislative Branches

The fact that Bacon's Rebellion occurred in the same year that Parliament, contrary to custom, failed to meet has at most only symbolic significance. The management of colonial affairs was still entirely in the King's hands. Parliament was, except in its passage of occasional legislation such as the Navi-

¹⁹ Wilcomb E. Washburn, *The Governor and the Rebel: A History of Bacon's Rebellion in Virginia*, Chapel Hill, 1957, pp. 107–113; also, *op. cit.* (footnote 12), "The Humble Petition of Sarah Drummond," pp. 354–375.

²⁰ Herbert Jeffreys to Henry Coventry, May 4, 1677, Longleat, vol. 78, folio 44.

gation Acts, as yet not an active factor in colonial government, and therefore colonial matters did not find much place in its debates. Its attention was directed towards the King and towards England's European neighbors.

On November 22, 1675, Charles II prorogued his Long Parliament for 15 months—until February 15, 1677. During these 15 months the King relied heavily for funds on a secret agreement that had been made with Louis XIV of France to pay the English monarch £100,000 a year while Parliament was not sitting.²¹ The interests of the French king were served so long as the hostile English Parliament was unable to align England actively with the continental allies resisting Louis XIV's campaigns of aggrandizement in the Low Countries and elsewhere.

While Parliament was in recess, financial disaster struck the English government. A look at the revenue figures for 1675, 1676, and 1677 tells the story better than can words. In 1675 the yield from customs was £727,769. In 1676 this yield dropped to £565,675; by 1677 it had climbed to £683,192. Excise fell from £499,177 in 1675 to £301,785 in 1676 before it climbed somewhat in 1677 to £373,367. Thus in 1676 the total income from customs and excise dropped to a low point of £867,460 from the £1,228,946 that was received in 1675 and in contrast to the respectable £1,056,559 collected in 1677.²²

The situation was particularly critical in the fall of 1676. Secretary Coventry wrote to the Earl of Essex on October 2, 1676:

Virginia is what taketh up our thoughts now where one inconsiderable man one Bacon of a mean or no fortune and of a Lesse Reputation as to any good qualitie hath made himself head of a Rebellion and with that Successes that in a few months he hath made himselfe Master of all that Colony, possesseth and disposeth every mans Estate as he pleaseth and how Long his Rule will Last I know not but I feare he will have time enough and desperatenesse . . . to put that Colony past recovering it selfe in many years. His majesty is sending away 1,000 men immediately with good Officers. I hope it may turne the Tide before it is become too strong for us but at the best we can hope it will be a great blow to the revenue.²³

Antoine Courtin, the French ambassador to the English court, reported that during the latter stages



FIGURE 7.—Bronze bust of Louis XIV. This bust is based on the marble bust of the French king that was created by Lorenzo Bernini in 1665 and is now at Versailles. In National Gallery of Art, Samuel H. Kress Collection. Reproduced, with permission, from National Gallery of Art photo.

of preparation for the expedition to subdue the rebellious colony, "every day" the English monarch pressed him to hurry the payments of the subsidy from Louis XIV.²⁴ William Harbord in a letter to the Earl of Essex, December 17, 1676, wrote that "ill news from *Virginia and New England* [then recovering from King Philip's War] doth not only *alarm us* but extremely *abate the customs* so that notwithstanding *all the shifts Treasurer can make this Parliament or another must sitt. . . .*"²⁵ This extreme drop in revenue

²⁴ Antoine Courtin to King Louis XIV, November 9 and 30, 1676, and King Louis XIV to Antoine Courtin, December 8, 1676, in *Correspondance Politique, Angleterre*, vol. 120, pp. 174, 244. (In Foreign Office Archives, Paris; microfilmed by Colonial Records Project of Virginia 350th Anniversary Celebration Corporation.)

²⁵ Clement Edwards Pike, ed., *Selections from the Correspondence of Arthur Capel, Earl of Essex, 1675-1677*, in *Publications of the Royal Historical Society*, London, 1913, Camden Series, ser. 3, vol. 24, p. 87.

²¹ Browning, *op. cit.* (footnote 7), vol. 1, pp. 166, 184, 189-190.

²² William A. Shaw, ed., *Calendar of Treasury Books, 1676-1679*, London, 1911, vol. 5, pt. 1, p. xiv.

²³ Longleat, vol. 84, folios 47-48.

may well have been one of the factors that undermined Lord Treasurer Danby, whose power was greatest in 1675 when income was most plentiful and weakest when the King's financial problems became intolerable.

The role played by Virginia in creating the financial disaster of 1676 has never been adequately considered, partly because of the secondary consideration normally given colonial occurrences by the mother country. Detailed analysis of the precise economic loss occasioned by Bacon's Rebellion has yet to be made. A thorough study of the effect of Bacon's Rebellion on English finances should take into account not only the fact that imports from Virginia declined drastically at the time of the uprising but that in the fall of 1676 exports from England were reduced because of the embargo placed on ships sailing for Virginia ports. Because of the nature of the American trade routes this embargo had an adverse effect on English trade with the West Indies as well as with English colonies on the North American mainland. The drop in West Indian customs receipts was, indeed, spectacular. Between Michaelmas (September 29) 1675 and Michaelmas 1676, the returns of the 4½ per cent duty in Barbados and the Leeward Islands amounted to £5,993. In the following 12-month period the returns of this duty fell to £800. In the 1677–1678 period the proceeds from the West Indian duty jumped to £3,650.²⁶

Whatever the exact figure may be, Virginia's unsettled condition resulted in a disastrous financial loss for the Crown. On December 3, 1676, Charles II complained to the French ambassador that Virginia would cause him a loss of £80,000 on tobacco duties and that furthermore an expenditure of £120,000 would be required to put down the rebellion.²⁷

²⁶ Thornton, *op. cit.* (footnote 3), pp. 258–259.

²⁷ Antoine Courtin to King Louis XIV, December 3, 1676, Francois Auguste Marie Alexis Mignet's *Négociations relatives à la succession d'Espagne sous Louis XIV ou Correspondances, mémoires, et actes diplomatiques concernant les prétentions et l'établissement de la Maison de Bourbon au trône d'Espagne accompagnés d'un texte historique et précédés d'une introduction*, Paris, 1835–1842, vol. 4, p. 430. The figure of £80,000 yearly accruing to the Crown from the Virginia tobacco duties is cited in the debates of the House of Commons, March 7, 1670 (Basil Duke Henning, ed., *The Parliamentary Diary of Sir Edward Dering, 1670–1673*, New Haven, 1940, pp. 92–93). In an undated petition to the King (Colonial Office Papers, ser. 1, vol. 40, no. 110, Public Record Office, London), Governor Berkeley reported that the Virginia trade brought in £100,000 annually.

Careful husbanding of resources by Treasurer Danby, involving reductions in expenses for almost every branch of the government, failed to solve the financial problem.²⁸ In February 1677 Charles II recalled Parliament and asked for a money bill to supply his many needs. Parliament was more recalcitrant than it had previously been in granting the King's requests for funds. The long adjournment was deemed illegal by many members who asserted that Parliament was thereby automatically dissolved. The King's reluctance to enter a formal alliance against the French and a suspicion that the monarch was secretly wedded to French interests made Parliament reluctant to grant the Crown large sums of money. In vain did the King plead with the House of Commons; in vain did he cite his extraordinary expenses of 1676 caused by "those contingencies which may happen in all kingdoms, and which have been a considerable burden on me this last year."²⁹ Parliament wanted proof that his intentions matched its own; until such proof was forthcoming, Charles II must manage his affairs as best he could. The plight of the King is shown in the instructions he gave to the Earl of Feversham, who was sent to the court of Louis XIV in the winter of 1677. Charles pointed out:

... we shall be necessitated to call a Parliament in April, by reason of a very great Branch of our Revenue that will determine at Midsummer next How far the irresistible temper of the House did necessitate us to a peace

Berkeley's figure is matched in a petition entitled "The Virginia Trade Stated" submitted by the merchants and traders in tobacco to the House of Commons in 1677 (Colonial Office Papers, ser. 1, vol. 40, no. 142, Public Record Office, London). Summaries of these petitions are contained in W. Noel Sainsbury and J. W. Fortescue, eds., *Calendar of State Papers, Colonial Series, America and West Indies, 1677–1680*, London, 1896, nos. 304, 552.

²⁸ Browning, *op. cit.* (footnote 7), vol. 1, pp. 186–187ff.

²⁹ Speech of King Charles II to both houses of Parliament, February 15, 1677, in *A Collection of Kings' Speeches; with the Messages to and from both Houses of Parliament, Addresses by the Lords and Commons, and the Speeches of the Lords Chancellors and Speakers of the House of Commons: From the Restoration, the Year One Thousand Six Hundred and Sixty, to the Year One Thousand Six Hundred and Eighty-five*, London, 1772, pp. 135–136. In his speech of January 28, 1678, to both houses (*ibid.*, pp. 141–142, and *Journals of the House of Commons*, vol. 9, p. 427), Charles II specifically mentioned the heavy charge of "a Rebellion in Virginia." In the debate of March 12, 1677, on the King's request for more funds, Sir John Ernly pointed out that "the rebellion of Virginia has cost the King £100,000," and that a

with Holland, is well known to the most Christian King; and they having the like advantage now upon us in respect of our Revenue as they then had in respect of our Expences, to what streights they may, and are like to drive us, is not hard to guess.³⁰

The influence of Virginia on the policy of Charles II has never been fully assessed. Could it be that the falling off of customs from Virginia and the plantations during 1676 and the expenditures involved in putting down Bacon's Rebellion placed Charles in a financial quandary from which it proved impossible to emerge except by radical alterations in policy? It seems possible that the situation in Virginia may have been a decisive factor in subsequent English relations with both France and Holland. In any case Charles II, perhaps consciously influenced by events in Virginia, broke his tenuous agreement with France and, by marrying his niece, Mary, to William of Orange, allied himself with Holland. After these changes in foreign policy were in effect, the King again confronted Parliament with a request for funds. The fact that Charles II remained unsuccessful in dealing with Parliament does not of course mean that the situation in Virginia did not exert a significant influence on his changes in policy. Charles II reigned in the dim beginnings of a new era; his difficulties with

war with Algiers and "other things make his Revenue fall short . . .," Anchitell Grey, ed., *Debates of the House of Commons, from the Year 1667 to the Year 1694*, London, 1763, vol. 4, p. 224. Although we know the King and his ministers were concerned with the rebellion, it is hard to find evidence of Parliamentary interest. Andrew Marvell wrote to Sir Henry Thompson, November 14, 1676, giving an account of Bacon's Rebellion as received from a ship just arrived from Virginia (Huntington Library, San Marino, California, HM 21813): nevertheless, in *An Account of the Growth of Popery, and Arbitrary Government in England. More Particularly, from the Long Prorogation, of November, 1675, Ending the 15th. of February, 1676, till the Last Meeting of Parliament, the 16th. of July 1677* (Amsterdam, 1677) Marvell makes no mention of the rebellion. There are few references to the rebellion in the journals of the two Houses or in official proclamations. Nevertheless, it is dangerous to suppose that the Virginia colony was out of mind. European affairs were central to the thought of Englishmen at the time, especially in official circles. Colonial affairs were on a lower level of consideration and, indeed, merited attention only when they erupted in violence or in loss of revenue. Like many problems of the modern day, however, their importance was significant in fact though insignificant in theory.

³⁰ Charles II, "Instructions to our Right Trusty and well beloved Cousin Louis Earl of Feversham sent by us to the Court of France," November 10, 1677, in *Letter-Book of Coventry*, British Museum, Additional MS. 25119, p. 8.

Parliament and with the colonies could be resolved only by political expedients that had not yet evolved.³¹

Bacon's Rebellion and its aftermath caused a distinct change in the relationship between the Virginia Assembly and the Crown. The King's failure to reward those who had supported the Governor's authority caused a reversal of sentiment in both houses of the Assembly. What "anti-imperialist" feeling was created in Virginia in 1676-1677 can truly be said to have derived not from the rebels who fostered the rebellion but from the loyalists who put it down.

It is customarily thought that the Assembly of June 1676 represented a democratic reform movement aimed directly at the royal government of the colony. Although historians may represent its legislation as "radical," nothing the Assembly of June 1676 did—with the possible exception of passing a law allowing all freemen, rather than property-holders only to vote—was such as to upset either King or Governor. Moreover, Berkeley had already allowed freemen to vote in the elections to the June Assembly, and all freemen had had the vote in Virginia up until 1670 when the law was altered to bring it into conformity with English practice. The King did not object to the "reform" character of the laws of June 1676 but to the pressure exerted on the Assembly by Bacon and 500 armed men. Furthermore, all evidence suggests that this pressure was exerted not in behalf of reform legislation but to obtain clear authority for Bacon to fight the Indian war as he pleased.³²

The June Assembly can in fact appropriately be thought of as having resoundingly endorsed the principle of royal authority in the colony as represented by the King's lieutenant, Sir William Berkeley. The June Assembly went on record that:

Whereas the Right Honourable Sir William Berkeley Knight our good Governour hath for many yeares most wisely, graciously Lovingly and justly governed this whole Country, and still continues to governe the same with all possible prudence Justness and mercy, this house in a deep Sence of the premisses doth humbly intreate and request his honor that he will please still to continue our Governour.³³

Having passed this action, the burgesses begged the King not to accept the Governor's resignation.

³¹ Mr. K. H. Haley has written the most detached account of "The Anglo-Dutch Rapprochement of 1677" (*English Historical Review*, vol. 73, October 1958, pp. 614-648), but he finds no overt evidence of a Virginia connection.

³² Washburn, *op. cit.* (footnote 19), ch. 4.

³³ *Ibid.*, p. 56.

It was in the postrebellion assemblies of February and October of 1677 that dissatisfaction with imperial domination really arose. Not only Berkeley and the Council but also the burgesses of the February Assembly found the attitude of the King's three commissioners mistaken and insulting. The commissioners told the burgesses how to perform their duties as they told the Governor how to do his. The burgesses and the Governor reacted similarly; they all ignored the commissioners' directives, suspecting that these representatives of the Crown were exceeding their instructions, as indeed they were.³⁴ Governor and burgesses proceeded in their accustomed courses, trusting that the King would eventually support their actions and repudiate the commissioners. They were mistaken in this belief. Partly through ignorance and partly through poor administration, the King upheld these recently delegated commissioners rather than his long-established authorities. The possibility of one royal authority arraigning another—a situation that had been feared by Francis Moryson, one of the commissioners, and by Samuel Pepys, of the Navy Board—had become a reality.³⁵

We have now arrived at a more valid starting point than Bacon's Rebellion for the conflict between the people's representatives and the King's Governor that culminated a hundred years later in the expulsion of Lord Dunmore. The crisis began on April 27, 1677, when Lieutenant Governor Herbert Jeffreys, one of the three commissioners and commander of the troops sent by the King, proclaimed himself Governor. Berkeley, already on his way back to England but not yet aboard ship, reacted angrily, accusing Jeffreys of having an "irresistable desire to rule this Country" and asserting that his action could "neither be Justified by your [Jeffreys'] Commission, nor mine nor any visible Instructions you [Jeffreys] have from His most sacred Majestic. . . ." "And no [know] Sir," Berkeley admonished the Colonel, "that I may not conceale my owne imperfections and pride of hart from you I will confesse to you that I belevee that the inhabitants of this Colony will quickly find a difference betweene your managment and mine" ³⁶

As Berkeley had foretold, the people did soon notice a difference in the two administrations. The disen-

chantment of the House of Burgesses with the King's vicegerent was manifested in a bold action of October 23, 1677. Under the leadership of their clerk, Robert Beverley, one of Berkeley's fiercest supporters, the burgesses formally protested to Jeffreys, calling the seizure of their journals by the commissioners in the previous April "a Great Violation of our Priviledges." The Assembly declared:

This House doe Humbly Suppose his Majestic would not Graunt or Command [such a power in the Commissioners] for That They find not the same to have been Practized by Any of the Kings of England in The Like Case. And Because This Commission was Never yett Published or put upon record this House doe Humbly pray your Honor will Please to Grant them a Veiw of the same, and that your Honor as his Majesties Governor and Representative here, will Please to give this House such satisfaction that they may be assured noe such violations of their priviledges shall be offered for the Future.³⁷

Jeffreys, sick and near death, retorted weakly that he could not produce a copy of the commission.³⁸ King Charles II, in considerably better health than Jeffreys, exploded with rage when he was informed of the protest and directed Lord Culpeper, Jeffreys' successor, to signify his "high resentment" of the Assembly's "Seditious declaration," which he ordered expunged from the Virginia records.³⁹

The rights of the Council were as vigorously defended as those of the House of Burgesses. One of the first controversies centered around fiery Philip Ludwell, Berkeley's right-hand man during the rebellion. Lieutenant Governor Jeffreys had prevented Ludwell from suing rebels for property they had stolen from him. One night, heated by drink, Ludwell denounced Jeffreys as "a pitiful Little Fellow with a perriwig" who had "broke more Laws in Six Months time than Sir William Berkeley Did in 35 Years Government" If the courts allowed Jeffreys to protect the rebels, said Ludwell, "they must allow and own the said Governor to rule by an Arbitrary power." Jeffreys ordered Ludwell tried for "scandalizing the

³⁶ William Berkeley to Herbert Jeffreys, April 28, 1677, Longleat, vol. 78, folio 34, quoted in Washburn, *op. cit.* (footnote 19), pp. 132-133.

³⁷ Longleat, vol. 78, folio 123.

³⁸ Jeffreys' answer to the assembly was made on the same day as the protest, October 23, 1677 (*ibid.*, folio 124).

³⁹ Order of King in Council, December 21, 1681, as reported in Virginia Council proceedings, *Virginia Magazine of History and Biography*, 1910, vol. 18, p. 245, and in Hening, *op. cit.* (footnote 14), p. 560.

³⁴ *Ibid.*, pp. 94, 101, 128-129.

³⁵ Francis Moryson to Henry Coventry, September 6, 1676, Longleat, vol. 77, folio 204; "Particulars to be considered in the dispatch of Sir John Berry to Virginia," *loc. cit.* (footnote 9).



FIGURE 8.—Cartoon depicting Charles II, Louis XIV, and the states of Holland on the matter of peace or war (1677?). From *Catalogue of Prints and Drawings in the British Museum, Division I* (1870), no. 1055. Printed at right is the poem as translated by Mrs. Juliette S. Bevis. Photo courtesy of the Trustees of the British Museum.

Louis, running after Charles
 Calls, stay. O King, do stay.
 If you'll stop running after peace
 I've lots of gold to pay,
 And pow'r to trample Holland down
 Until in ruins she lay.

But King if you desert me
 My nerve and plan will fail.
 De Ruyter on my open coast
 His wooden horse will sail.
 And the brass of the Fearsome Tromp
 Will descend in a deadly hail.

Governor by saying that he was perjured and had broke several Laws." When Ludwell admitted the scandalous nature of his charges but pleaded their truth as a defense and asked for a jury to decide whether in fact Jeffreys had broken the laws of the colony, the Governor became enraged. Ludwell's defense was so far ahead of its time that it could not be accepted by the other members of the Council, who were sitting as a general court. However, the court, in accordance with "the Laws and Constant known proceeding of this Colony," did allow Ludwell to appeal from its decision to the Assembly.⁴⁰ This concession caused Jeffreys, who wanted the case referred to the King, to denounce the councilors for showing themselves to "Vallue the Power and lawes of A few Ignorant Planters mett in An Assembly for this Government to be of greater Authority, then his most Sacred Majesty and his Council."⁴¹

In another case Jeffreys found himself opposed by James Bray, one of four councilors whom the Governor had highhandedly dismissed without formal charges. Bray, in a written statement presented to the Council on September 26, 1677, stated:

Chieflly in defence of the Rights Priviledges and Honor of the Kings Council of State in this Country I have Thought it Necessary to make my Adresse to This Honorable Court and without Arrogancie Ambition or Other Ill meaning to Demand my Place and Priviledge in This Seat of Judicature being a Court Appoynted by Law where the Councillors of State are Injoynd to give their Attendance without Lawfull Occasion Preventing them. not but that I most Redily Comply and submit to be Ousted Degraded and Rejected being Lawfully Convicted by this Honorable Court of Crimes merriting such Indignities and Dishonor.

⁴¹ Herbert Jeffreys to Henry Coventry [?], April 2, 1678, Longleat, vol. 78, folios 216-217, quoted in Washburn, *op. cit.* (footnote 19), p. 134.

⁴⁰ Washburn, *op. cit.* (footnote 19), pp. 134, 233-234.

My Demands I Request may bee Committed to Record with your Honors Resolve thereto.⁴²

Despite this entreaty, Jeffreys and the Council ordered Bray suspended until his Majesty's pleasure might be known.⁴³ The Governor forwarded the papers on the Bray case to Secretary of State Coventry, noting Bray's "Insolent Behaviour in Comeing to Claime his Seat in the Council in Open Court."⁴⁴

The restrictions placed upon representative government in Virginia through measures taken against the House of Burgesses, the Council, and the courts occurred after the rebellion, not before it, and were opposed by the loyalists, not supported by them. There is little evidence to show that the rebels were concerned with representative institutions either during the rebellion or in the postrebellion period, but it is abundantly clear that the loyalists were. The battle for democratic rights in Virginia was waged

after and not during the rebellion; consequently, it is to the postrebellion period that we must look for knowledge of the evolution of representative government in the colony of Virginia.

The effect of Bacon's Rebellion on the development of representative institutions in England is more difficult to assess. The rebellion was immediately effective in that it gave support to the King's opposition in the House of Commons by cutting off a significant portion of the King's income and thus forcing him to go begging to Parliament to replace it. (The aid given by the rebellion was accepted without comment by the members of the House of Commons because, as a colonial matter, it required no thanks and no acknowledgement.) A more lasting result of the rebellion was that it drew attention to the inability of the English constitution satisfactorily to comprehend within its terms the growing numbers of Englishmen "without the Realm." The problems brought on by the rebellion revealed that the political relationship of colonist to King was evolving too haphazardly. What could have been a warning, however, was seen merely as an annoyance, and the opportunity to re-establish the loyalty of the colony by fair and intelligent treatment was lost.

⁴² Longleat, vol. 78, folio 89.

⁴³ Order of a General Court, September 27, 1677, Longleat, vol. 78, folio 85.

⁴⁴ Herbert Jeffreys to Henry Coventry, February 11, 1678, Longleat, vol. 78, folio 207.