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public offices in England, for the use of Colonel Byrd of Westover,
Burke thereupon formed the resolution of, ^{writing the history of} Virginia; a country, of which,
or of its inhabitants, he knew as little as any man in it, save only
what he could extract from these records, or from other histories. The
work was hastily written; and its author was killed in a duel before
he had completed it. So far as it peruses the ancient manuscript
volumes in his possession, this history is no doubt entitled to the
fullest credit; but it is replete with errors and inaccuracies of many
kinds, whenever the author lost sight of these his only sure guides. Heming
has noticed some of these errors, with others; and any man who has
taken the trouble to collect information of the events of past time, in
reference to this country, will be able to point out many more.

Heming, in his compilation of the ancient Statutes of Virginia,
has furnished much evidence to enlighten the obscurity that had
been supposed to envelope this period of our history. The nature of this
work, allowed but little opportunity to the author, of commenting upon
the facts the proof of which was before him; and he has not availed
himself, sufficiently, even of the occasions that were presented. Both in
the preface and in some of the notes to the first Volume, he has
undertaken to contradict a part of the account given by Doctor
Robertson; and while exhibiting the evidence upon which he relies
to support his opinion in this respect, he has found himself compelled
to differ also from that offered by Burke, with whom, however, he seems,
upon the whole, most disposed to concur.

According to Heming, "from the death of Charles the first, to the"
"restoration of Charles the second, not a governor of Virginia had been"
"appointed either by the Commonwealth or by Cromwell!" but Sir
William Berkeley himself, and each of his predecessors, during this
interval, "was elected by a full Assembly," not of cavaliers and aristocrats,
or of the people themselves, but "of the representatives of the people."
All these governors, he says, "were the mere creatures of the House of"
"Burgesses, dependent upon their breath for their political existence,"
"and annihilated at their pleasure." He contradicts Doctor Robertson too,
and concurs with Burke, in stating "that neither the Ordinance of 1650,"
"nor the Acts of 1651, for imposing restraints upon the commerce of"
"the colonies, took effect in Virginia, notwithstanding the existence

of these Acts is assigned by Doctor Robertson, "as one of the causes which" "confirmed the Virginians in principles of loyalty to the king, and" "render'd them impatient under the yoke of Cromwell". (u)

I have taken some trouble to investigate this interesting period of our history. In the course of this investigation, having found much curious evidence, and collected some amusing anecdotes, I will now state the result of all my researches, and the sources from which it has been derived. This result, has induced me to concur in the account given by Doctor Robertson, as above, in all its parts.

The fact of the apparent continuance of the loyal attachment of Virginia to the crown of England, even after the deposition and violent death of Charles the first, is established not only by the concurring testimony of all the historians to whom I have refer'd above, but by many other authentic documents and records I have seen, which, most certainly, could never have been seen or read by those who question or deny its sincerity. Whether this attachment was the effect of "religious zeal," which regarded the king as the head of the episcopal church, and apprehended danger to that church from the success of the Puritans of the Parliament, as Buck supposes was the case—Whether it resulted from a grateful sense of the favors that had recently ^{been} confer'd upon the colony by the unfortunate king, as Doctor Robertson thinks—Whether it was the consequence of the affection with which Sir William Berkeley, the Royal governor, had been always regarded in the colony, at this time—Or whether it was produced by the combination of all these causes, is a matter of little moment. The existence of this apparent loyalty is no where denied; and the only doubt is whether it was real or feigned; a sincere attachment, or the mere artifice of "caution" and reserve. The same documents which prove its apparent existence, establish its truth and sincerity, beyond all doubt, as I think.

Charles the first was beheaded January 30th 1649¹⁰, and the first Assembly of Virginia which convened after this event, met on the 10th day of October following. The first Act pass'd at this session, after reciting the treasonable principles and practices of the republicans, in aspersing the memory of "the late most excellent, and now undoubtedly"

(u) See Henings Statutes. Vol. I. pages XIII. 358. 429. 513. 526.

(v) Ib: Vol. I. page 358. notes.

"sainted king," enacts; that to defend "the late traitorous proceedings against
 "the king, by reasoning discourse or argument," makes the person guilty "as an"
 "accessory post factum" - That "by irreverent or scandalous words or language, to"
 "blast the memory and honour of the late most pious king, (deserving, ever"
 "attendants and monuments in the hearts of all good men) should be punishable"
 "at the discretion of the governor and council - And that to insinuate "any"
 "doubt, of and concerning, the undoubted and inherent right of his majesty"
 "that now is (Charles the second) to this colony of Virginia, and all other his"
 "dominions, as king and supreme governor, should be high treason." (w)

Such declarations, uttered at such a time too, place beyond all question,
 not only the apparent loyal attachment of Virginia to the royal cause,
 even at this period, but also the truth and sincerity of that attachment.
 Caution and reserve might well have prevented the utterance of such
 sentiments, although warmly and sincerely felt: but could hardly have
 dictated the expression of them, if the attachment they breathe had been
 but assumed and feigned. And that they were believed to be sincere,
 by the Parliament of England, by the exiled prince, and by the sister
 colonies of Virginia, is shewn as positively, by other documents, as
 their apparent and real existence is proved by this.

All authors concur, in ascribing, the harsh provisions of the
 Ordinance of 1650, and the restraints upon commerce imposed by
 the two Acts of 1651, to the irritation felt by the Parliament, at the
 loyalty of some of the colonies, among which Virginia was one. By
 the first of these laws, the colonists of Barbadoes, Virginia, Bermudas
 and Antego, were denounced as "notorious traitors and rebels"; and all
 vessels, whether belonging to natives of England or foreigners, were
 prohibited from entering their ports, or carrying on commerce with them.
 By the latter of these Acts, all mercantile intercourse is expressly
 prohibited, between any of the colonies and foreign states; and all
 importations into the colonies from foreign states, is confined to
 vessels belonging to English subjects, navigated by crews of which the
 greater part must be Englishmen. ^(x) Voluntarily to incur the pains and
 privations of such laws, may perhaps sufficiently establish a
 devotion to the royal cause, by which devotion they were called down

(w) See Henrings Statutes. Vol. I. pages 558. 9. 60.

(x) See Ordinance of October 3. 1650. Scobells Acts page 1.027. See also Act of
 October 9. 1651. Scobells Acts page 1.149.

upon the heads of the colonists: but is utterly inconsistent with the notion of a feigned loyalty, exhibited by caution and reserve merely. It is certain, therefore, that the Parliament of England must have believed the Virginians to have been sincere in their professions of loyalty.

That the exiled prince concurred in this opinion, is manifest from the fact of the new commission sent to Sir William Berkeley, as governor of Virginia, transmitted by Charles the second from Breeda, where he went to meet the Commissioners from Scotland. This commission bears date in 1650,* and may be found in Chalmers. (y)

And that the neighbouring and sister colony of Massachusetts united in the same opinion, will clearly appear from the Act passed by the Assembly of that colony, in 1651, whereby trade with the other colonies mentioned in the Ordinance of the Parliament of 1650, is forbidden, until their compliance with the Commonwealth of "England," or the further order of that General Court. (z)

With such evidence before them, who can doubt of the sincere loyalty and warm attachment of Virginia to the Royal cause, even after that cause was abandoned every where else?

The suggestion made by Burk, that Virginia merely forbore to acknowledge the new government, but took no step to open any intercourse with the Royal party, does not seem to be warranted by the fact. The commission mentioned above, as granted at Breeda in 1650, goes far to prove that Charles the second must have been then informed of the Act of Assembly passed in 1649, which recognized his "undoubted and" "inherent right to the colony of Virginia". And one of the Articles of the Convention for surrendering the colony, in 165 $\frac{1}{2}$, provides expressly, "that there be one sent home at the present governors choice, to give an" "account to his majesty of the surrender of his country, the present" "governor bearing his charges, that is Sir William Berkeley". From whence it very plainly appears, that intercourse was kept up between Virginia and the Royal party, from the death of Charles the first,

(y) See Chalmers's Annals. Vol. I. page 122. Holmes's American Annals.

Vol. I. page 291.

(z) See Harvard's Collection of State papers. Vol. I. page 553. — Chalmers's

Annals. Vol. I. pages 122. 3. — Holmes's American Annals. Vol. I. pa. 291.

(a) See Henings Statutes. Vol. I. pages 7. — 6.

until the subjugation of this colony in 1652. Nay, Lord Clarendon states expressly, and he must have been personally acquainted with the fact, that Sir William Berkeley had "industriously invited many gentlemen and" "others hither, as to a place of security; and that he writ to the king," "almost inviting him hither, as to a place that wanted nothing." (b)

Whether the spirit of loyalty thus shewn to exist in Virginia, was at last constrained to yield, and submitted only to the necessity imposed by the superior force dispatched by the Parliament to subdue this colony; or whether other causes contributed to induce the surrender of the country to the Commissioners sent out from England, is a question which cannot be settled at this day. The force sent, was unquestionably sufficient to produce this effect, although both Marshall and Burk are mistaken, when they represent the whole force sent from England under the command of Sir George Ayscue, to have been that to which the surrender was made. Beverley states more correctly, that the squadron which entered the Chesapeake, was commanded by Captain Dennis. Ayscue sailed from England early in September 1651, arrived at Barbadoes October 16th 1651; and after bringing that island to capitulate, he dispatched Captain Dennis to Virginia, with only a part of his forces, in pursuance of his instructions to that effect. (c)

The presence of this force, supported by the reinforcement it might soon expect, must have produced much effect in Virginia, no doubt. But Beverley insinuates very broadly, that the treachery of two members of the council contributed not a little to the capitulation. This tradition continued even to my early day; and I have often heard the names of Broccas and Ludlow mentioned, as those of the traitors. To this was added, that the indignation of the colonists, afterwards compelled these men to fly from the country they had betrayed; ^{to which they} ~~and that~~ never returned. This treachery, however, had not its origin in any "spirit of reform"; but is represented to have proceeded from a very different cause; and to have

(b) See Clarendon's History of the Rebellion. Book XIII. page 137.
(c) See Marshall's Life of Washington. Vol. I. page 76 - Burk's History of Virginia. Vol. II. page 81 - Beverley's History of Virginia page 52 - Edwards's West-Indies. Vol. I. page 336 - Holmes's Am. Annals. Vol. I. 296. Hazard's Collection of State papers. Vol. I. page 556.
(d) Beverley's History of Virginia. page 52.

sprung from motives exclusively personal and selfish. Nor has Burkh any warrant for the assertion he hazards, that there was any division of sentiment existing here, at that time, arising from any such general cause.

It is true, that a diversity did exist among the colonists, at that time, the curious evidence of which I will presently state: but this difference of sentiment, so far from showing any abatement of the loyalty of the Virginians, is a proof of its continuance undiminished, even after the capitulation and surrender of the colony had been completed.

In the ancient records of Northampton County, to which I have before refer'd, I found a singular document spread upon the records in the year 1652. Its substance is, that by the death of Charles the first, effected as that was, the government of this country was dissolved; and all the powers and authorities of the Assembly were extinguished— That the capitulation of March 165 $\frac{1}{2}$, having been concluded by an Assembly chosen before the death of the late king, this body had no legal authority after that event; and of course none to make that surrender— Therefore, that the people of the County of Northampton were not bound by that act, or by any other of the acts of this Assembly; the more especially, as they had not been represented therein. But as the good of the colony indispensably required that there should be some government provided for the direction and management of its affairs, the people of the County of Northampton would willingly co-operate with the other colonists, in providing such a government. For themselves, they had no objection that Mr. Richard Bennett should be made governor by the next Assembly: they protested, however, against the exercise of power by him, if it was derived from any other source than an election by the Assembly.

It would seem from this document, which I think was intended for instructions to the Burgesses of Northampton County chosen for the next Assembly, that doubts were entertained as to the legitimacy of the authority of those who made the capitulation, to agree upon such an act. Notwithstanding this, such was the situation of the colony at the time, that it was thought better to adhere to the capitulation than to reject it. But that if adhered to, the governor, under it, must derive his powers from the Assembly, and from no

Other source. And that the authority of Mr. Bennet as governor, not being so decided, was not then generally recognized. This last circumstance, goes far to justify the conclusion, that the surrender of the colony to the Parliament, was the result of the necessity, imposed by superior force, acting upon the disorderd and unsettled state of things then existing.

This paper seems to have received the approbation of Colonel Settleton, who presided in the court when it was ordered to be recorded. Some of its ^{assertions} are distinctly proved, by the list of the members of the Assembly who agreed to the capitulation, in which list no members for the County of Northampton will be found. (e)

Whether the three governors who presided in Virginia after Sir William Berkeley was forced to abandon his post, were appointed by the Parliament and Cromwell, as Doctor Robertson states; or by the Assembly, as Heming contends, I have seen but little other evidence than that which the latter advances. From all this however, I am induced to believe that both of these authors are right; and that their respective statements may easily be reconciled thus. Either the Parliament or Cromwell named the governor, to whom it was thought by them most adviseable to commit the colony, and this governor was then elected by the Assembly: or the Assembly elected a governor known to be most acceptable to the Parliament or Cromwell, who was afterwards approved and confirmed by them. Both modes were practised at different periods, probably.

Richard Bennet, the first governor after the surrender of the colony, was one of the Commissioners sent out by the Parliament, to settle and arrange its affairs. ^(f) If the document, the substance of which I have before given, may be relied upon, and there is no reason to doubt its correctness, it thereby appears, that Bennet acted as governor immediately after the capitulation; and most probably summoned the very Assembly which met on the 26th of April 1652, and elected him governor and Col: William Clayborne (another of these Commissioners) Secretary. ^(g) From whence it would seem, that Bennet, although afterwards elected by the Assembly, had been governor previously

(e) See Hemings Statutes. Vol. I. pages 358. 9.

(f) See the Instructions, signed by President Bradshaw. Thurloe's State Papers. Vol. I. page 197. Harv. 25 Collection. Vol. I. page 356.

(g) See Hemings Statutes Vol. I.

previously to this election.

On the 22^d of November 1654, Edward Diggs was nominated by the governor and council, to be one of the council; and was approved by the Assembly unanimously, "he having given a signal testimony" of his fidelity to this Colony and Commonwealth of England. On the 31st of March 1655, the same man was made governor by the Assembly. Now Bennet, the preceding governor, had been elected originally for one year, or until the next meeting of the Assembly. Both these terms had expired before the election of Diggs as above: yet Bennet continued to act as governor until March 30. 1655, certainly. So that Bennet, who has been shewn to have acted as governor previously to his election by the Assembly, continued to act in that capacity after the expiration of the term for which he was so elected. Therefore, Bennet, although elected by the Assembly, must have derived his authority from some other source. (h)

His successor Diggs also, who had been elected March 31. 1655, was still acting as governor in December 1656, without any new appointment from the Assembly; and therefore, must have derived his authority from some other source. And Matthews, the successor of Diggs, although elected as early as December 1656, and then described as "governor elect", was afterwards postponed until the departure of Diggs, who was requested by the Assembly, "to retain the reins" of government in his hands, during his abode in the country. (i) A circumstance inconsistent with the mere legislative appointment of either of these persons. This notion is also opposed by the fact, that Matthews, while governor, attempted to dissolve the Assembly; a course he would hardly have attempted to adopt, if he had been but "the creature of this body, subject to be annihilated at their pleasure", as Hemming states. (k)

These considerations incline me to believe, that Bennet, the first governor after the surrender of the colony, was appointed by the Parliament. He, finding a strong party existing in the country, who, although willing to elect him themselves, were reluctant to recognize him as governor if he derived his powers from England,

(h) See Hemmings Statutes. Vol. I. pages 407. &

(i) Idem. page 426.

(k) Idem. pages 499. *we has*

to put an end to all controversy and to effect the union of the people, was willing to seem to derive his appointment from the Assembly, until the pleasure of the Parliament should be known. That the Parliament approving this course, he continued to act as governor for several years, without any new election or appointment: but being constrained to return to England, by his private affairs, Diggs was sent out from thence to supply his place as governor, whenever the ^{expected} vacancy might occur. Diggs, after his arrival in the country, was elected by the Assembly, precisely as his predecessor had been; He too being compelled to return to England, before any successor had been there nominated, the Assembly elected Matthews in anticipation of the departure of Diggs. Matthews, being then in England, was there appointed to succeed Diggs, and comes out to Virginia as "governor elect". Soon after Matthews began his government, he attempted to dissolve the Assembly: but that body refusing to be dissolved by him, the question was refer'd to "the Lord Protector"; and Matthews was again elected governor "for two years". During this period Matthews died; and the colony being then without a governor, the people turned their eyes towards their old governor Sir William Berkeley, who was still in the country, and wished to have him for their governor. Matthews died in January 1657/60, and the Assembly which met March 13. 1657/60, finding the temper of the people, elected Sir William Berkeley immediately. Charles the second was not restored in England, until May 29. 1660. (m) But as the determination to restore him had been made sometime before the actual restoration took place, it cannot be doubted, that this loyal governor made haste to acknowledge his master, and actually did so before he was proclaimed in England. So that the boast of Virginia, stated by Doctor Robertson, is literally true.

As corroborative of this, I will state a fact mentioned to me by my grandfather Waller. The motto of the ancient arms of Virginia, was En dat Virginia quantum. When I asked him the meaning of this, he told me, that the arms and motto had been given to the colony by Charles the second upon his restoration, and that the motto was intended, by that monarch, to compliment the loyalty of this colony, in being the first of all his dominions to recognize his authority. Wherefore, he had associated Virginia with England.

(l) See Henings Statutes. Vol. I. pages 525. 6.

(m) Idem. page 529 in notes.

France, Scotland and Ireland, exclaiming in the meaning of the motto, "Behold Virginia gives a fifth kingdom". Beverley says also, that there was a tradition in his time, that Charles the second, "in" "compliment to the colony, wore at his coronation a robe made of the" "silk that was sent from thence". (w)

I cannot suppress my astonishment, when I read the opinions of both Burck and Heming, "that in no part of the public records of" "Virginia, during the existence of the Commonwealth, is the authority" "of the Acts of Parliament recognized", ~~under~~ ^{by} which acts the severe restraints of our commerce were imposed. ^(o) Both these authors, while they utter this opinion, produce a case extracted from these ancient records, in which the obligation of these acts is distinctly admitted, and their penalties applied to the ship "Leopoldus of" "Dunkirk". Burck considers this case as not satisfactory, "inasmuch" "as the Parliament was at war with the parties trading". I do not find this to have been the case however. Dunkirk was taken by the Spaniards, September 26. 1652. They held it until it was retaken by the French and English and given up to the latter, in 1658; and the war between Spain and England did not take place until the latter end of 1655. Now the seizure and condemnation of the Leopoldus occurred in 1653, at a time when war did not exist between England and Spain, which latter power then held Dunkirk, as I have said - Nay, the very grounds of the condemnation of this vessel, is expressly stated to be "the Act" "of Parliament for increasing of navigation". Therefore, none ought to doubt of the obligation of this Act in Virginia, when this condemnation took place; and of this I have seen several other examples. (p)

There is then, I think, no reason to question the account given by all our earliest historians, that Virginia remained loyal to the King after all his other dominions had forsaken him; and that she was the first to return to the allegiance she had been the last to renounce. I have devoted more time to establish this than

(w) See Beverley's History of Virginia. page 55.

(o) See Heming's Statutes. Vol. I. page 285. Burck's Hist. Vol. II. page 97.

(p) See Daniel's History of France. Vol. V. pages 84. 89. 93-

was probably necessary; because, the contrary opinion being that which is now the most popular, will probably prevail; and in a few years, the grounds upon which the old accounts can be supported will be forgotten and lost in obscurity. But to return to my narrative.

Colonel Litleton, like the rest of his countrymen, had retained his attachment to the royal cause until to express this attachment was treason. Even then, he was one of those who refused to recognize the power of the new governor, Bennett, until this governor should be elected by the Assembly. But so soon as this occurred, Colonel Litleton became a warm supporter of the existing government, and filled a conspicuous place under it, as one of the Council of State. (g)

In 1650, much discontent seems to have existed in the county of Northampton, excited, as appears, by Colonel Edmund Scarborough, an influential man, who resided in that county. He seized several vessels under the pretext that they had violated the Navigation Act, then recently enacted by the Parliament of England. Yet while he thus affected obedience to the Parliament, he openly denied the authority of the existing government; because, the death of the late king and the expulsion of his son had put an end to all government. This last notion, was boldly and impudently announced, in a memorial presented to the Assembly, signed by him and a number of the inhabitants of Northampton County, who were probably influenced by him. In consequence of these acts, so dangerous to the tranquillity and prosperity of the country, a petition was presented to the Assembly, praying that proper measures might be taken to correct and prevent their effects. At the head of these petitioners, is found the name of Colonel Litleton, the Commander, and of most of the other Commissioners of this County. The Assembly took both these papers under consideration; voted the memorial of Scarborough and his associates to be "scandalous and seditious"; disabled him and them from holding any office, until he and they had answered the charges preferred against them; and created a Board, composed of Richard Bennett esquire, the governor, the Secretary of State and others, whom they directed to proceed to Northampton "for the settlement of the peace of the county, and punish him the delinquents." (r)

(g) See Henning's Statutes. Vol. I. page 371 - (r) Idem. pages 380. 384

The ancient records of Northampton shew, that in pursuance of this Act, the governor, with several of the assistants appointed by the Assembly to accompany him, did proceed to that county, where they held several sessions, the proceedings of which are all there recorded; and that they finally fulfilled all the objects which had induced them to undertake this journey. Scarborough and his associates were mulcted in heavy fines; some of them were degraded and disqualified from holding any office; and others were pardoned, after recanting their seditious language and praying forgiveness.

Colonel Littleton seems to have been present at all these meetings; and this was the last public duty which he seems to have performed. He must have died during the year 1654: for a patent granted to Edward Littleton, in 1656, recites, that Colonel Nathaniel Littleton during his life, vizt May 1. 1652, had purchased a tract of land, then and still called Arlington, from its former proprietor Thomas Harmer, which land was, therefore, granted to the said Edward Littleton, as the son and heir of the said Nathaniel; and in January 165⁴/₅, the records of Northampton County state, ^{that} Mrs Ann Littleton, his "widow", exhibited a complaint against the misconduct of one of her white female servants, who, in consequence, was order'd to be punished for her insolence to her mistress.

Colonel Littleton resided, during his life, in the lower end of what is now Northampton County, and in that part of it then and still called Magotty Bay. Here he held a body of eight hundred acres of land, situated on the sea board side, adjoining the estate called Arlington, which was situated on the Bay-side, at the mouth of Old Plantations Creek. During his life, he augmented this tract by the purchase of Arlington, which then contained twelve hundred acres. After this purchase, his estate comprehended Two Thousand acres. The whole of this descended upon his eldest son Edward Littleton, after the death of his father, who died intestate in 1652.

Of Colonel Littleton's character and situation in life, I can discover nothing more than what may be infer'd from the facts stated above. From the various public employments

which he filled and from the manner in which he seems to have discharged their duties, I am induced to believe that he was a man highly respected in the county where he resided, and by his fellow subjects in Virginia generally; and that he well merited the high estimation he seems to have enjoyed. He left three children, two sons, Edward and Southy, and a daughter Hester. She afterwards married Captain John Robins, a very respectable gentleman of Northampton County, the son of Colonel Obedience Robins, who, after the death of Colonel Littleton, was elected to succeed him as one of the Council of State.

Edward Littleton, the eldest son of Colonel Nathaniel Littleton, survived both his father and mother, and married: but he died without issue, in 1663. This appears by the proceedings in several suits in Northampton County, instituted by his brother Southy Littleton. In these suits, lands which had belonged to Edward, are claimed by Southy, as his heir at law. It is more particularly shewn also, by a deed from Francis Pegot and Frances his wife (who was the widow of Edward Littleton) to Southy Littleton, in which deed these facts are stated - Edward Littleton must have been quite young at his death: but even then he appears to have been recommended and appointed as one of the Commissioners of Northampton County.

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II. Southy Litleton.

Southy Litleton, the youngest son of Colonel Nathaniel Litleton, was born in Virginia, between the years 1642 and 1646. I state this very confidently, because by the will of his mother Ann Litleton, which is dated in 1656 and is recorded in Northampton County, she directs that he shall "bee kept at school untill he shall" "arriue unto y^e age of fifteen or sixteen years: therefore, he could not have been born before 1642. And as the proceedings in the suits referred to above, show that he was of full age in 1667, he could not have been born later than 1646. It appears too, by the same will, that Southy Litleton was older than his sister Hester, who, as is therein stated, would "come to the age of twenty and" "one years in An^o. Dom: 1669."

Southy^{Litleton} must have been married while he was quite young, for it appears by his own will, a copy of which I have, that he had survived his wife and had several children then living; and this will is dated in 1679. Who he married I know not certainly: but from the name of his second son, and other circumstances, I infer that the maiden name of his wife was Bowman, and that her family resided either in Somerset county Maryland, or in the upper part of the contiguous county in Virginia which is now called Accomack. (a)

Although Southy Litleton must have resided in the county of Northampton during much the greater part of his life, it does not appear, by the ancient records of that county, that he ever acted in any public capacity there. But he seems to have been a member of the Royal Council while he was yet quite young; and he was one of the "Court martial, held on" "board Capt: John Marrions shipp, in York river, January 11" "167⁶/₇", for the trial of Thomas Hall and others, who had been "apostors in the rebellion" of Bacon. (b) He is there distinguished

(a) The present county of Somerset in Maryland, extended quite across the peninsula, at this time, from the Bay to the Sea, and included the present county of Worcester.

(b) See Henrings Statutes. Vol. II. page 545.

as "Col. Southy Settleton."

Family tradition, had always taught me to consider this gentleman as the most conspicuous and meritorious of his name, who had lived in Virginia. By this, he was represented as the particular and intimate friend of Sir William Berkeley the governor, who resided in Magotty Bay with Colonel Settleton, as his guest, during the period of the governor's sojourn in this part of the country, to which he had been driven by the success of Bacon and his adherents. From this circumstance, from the reputed wealth of Colonel Settleton, and from the active part he was said to have taken in the struggle which convulsed the country in his day, I was disappointed in not being able to collect more information concerning him, from the ancient records of the county in which he dwelt.

I can account for this omission, only by supposing that the early part of his manhood was not passed in this county. This supposition, derives some confirmation from the fact, that the patrimonial estate which he derived from his immediate ancestors, was situated on Namdua creek, and upon the division of the county of Northampton in 1665, this estate was included within the limits of the new county of Accomack.^(c) Here, therefore, Southy Settleton lived, most probably, until after the death of his brother Edward. By that event, he became entitled to the manor plantation in Northampton county, where his father Colonel Nathaniel had resided: but Southy Settleton did not remove thither until after the death of his wife. Before this occurred, the excitement produced in the country by Bacon's war, began to exhibit itself. Then, the nature of the offices which Southy Settleton held, as one of the Royal council and as a military officer, compelled him of course to spend much of his time, during this turbulent period, at a distance from his home.

Our histories inform us also, that in the year 1677, Colonel Southy Settleton and Colonel William Kendall were appointed agents on the part of Virginia, to repair to Albany in New-York, there to confirm the peace, which Colonel Coursey of Maryland had made, for Virginia, with the Five Nations of Indians, who had long caused great interruptions of the tranquillity of this colony.^(d)

(c) See Henings Statutes. Vol. II. page 97.

(d) See Bourke's History of Virginia. Vol. II. page 282.

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While at Albany, engaged in this duty, Colonel Southy Littleton died. His will is dated at Albany, September 16. 1679, and being first proved ~~here~~ and recorded there, a copy of it was certified from thence to Northampton County Court, where it now remains of record.

Colonel Southy Littleton left seven children. Of these, three were sons, Nathaniel, Bowman and Southy; ~~and~~ and four were daughters, Esther, Sarah, Elizabeth and Gertrude. To Nathaniel, his eldest son, he devised the old family estate in Magotty Bay, which he had acquired by the death of his elder brother Edward, and had augmented by several purchases of contiguous lands, until it comprehended more than four thousand acres. This Nathaniel Littleton married, and died young, leaving none other than two female descendants.

To Bowman, his second son, Colonel Littleton devised "all the rest of this land at Chingoteck [Chingoteague] in Somerset county," not devised to his daughters and others. He was entitled to a very extensive territory, in this part of the country, after carving out of which large portions for each of his daughters, and several farms for his faithful white servants, there still remained a considerable tract, comprehending several thousand acres, that passed under this devise to his second son. And to his youngest son Southy, he devised his "plantation at Hamdell," "lying and situate in Accomack county in Virginia," "containing Two Thousand two hundred and seventy acres."

I have not been able to trace what became of either of these two sons. But I suppose that they died without issue, or leaving none other than female descendants; for the name has long been extinct as a patronymic, although it is still preserved as a baptismal name in the families of the Dennis's, the Teachles, the Savages, the Hamdells, and many others, on the Eastern shore both of Maryland and Virginia. From this I infer, that the female descendants of Colonel Southy Littleton and of his sons, intermarried with the ancestors of these families; and that according to a custom then very prevalent, the family name of the mother, became the baptismal name of some of her male descendants, and was thus preserved among them

for a long time.

All that I have been able to discover of any of this family, except what relates to the youngest daughter of Colonel Southy Littleton, is that Sarah, the second daughter, married a Mr. Adam Michael, who dying before her, she intermarried after his decease with John Custis esquire, whom she also survived. She seems to have died without issue, and to have left a will that bears date April 14. 1720, and is now recorded in the County Court of Northampton. Elizabeth, the third daughter, married a Mr. Waters. His descendants were once numerous and respectable in Northampton: but I believe none now remain there, although I have heard that a branch of this family still exists in Maryland or in Accomack. Of Gertrude, the youngest daughter, I will speak more fully hereafter.

This is all I have been able to collect concerning Colonel Southy Littleton. Two events occurred, however, during his life, in each of which he was actively concerned. As each of these events was long considered of great importance, throughout the colony, and are related but very imperfectly in any of our histories, before I conclude this sketch, I will endeavour to give a more accurate and connected account of them than you will be able to find. The first of these events was "Bacon's Rebellion"; and the other the Treaty concluded at Albany with the Five Nations of Indians.

With regard to the first, very different opinions seem to have prevailed in the country, at different periods. Immediately after the insurrection headed by Nathaniel Bacon the younger, the excesses that had been committed by the insurgents while in arms; the disregard they manifested to the haughty mandates of the constituted authorities; and the necessity under which the party ultimately victorious found itself placed to account for and to justify their cruel and illegal acts, were probably the causes why this commotion was denominated a "Rebellion". All our early accounts were the ^{productions} ~~accounts~~ of this victorious party; and therefore, may be regarded very properly as the effects of much inflammation and excitement, coloured too by the effort to extenuate the impropriety of acts, which, when considered with more calmness, could not be justified.

Near a century afterwards, when the natural growth of the colony and the extravagant proceedings of the mother country, had prepared the minds of men for that revolution and division of the British empire, which was effected at last, it was quite natural for them to look back upon their past history, with a view of finding in it additional evidence of misrule. Then, all persons who were found opposing such proceedings when they had occurred, especially if their conduct was seen to have been visited with harsh, illegal, or cruel treatment, would certainly be regarded with a favorable eye. Their causes would probably be identified with that then existing; their fate and fortunes would meet general sympathy; and those who had once been proclaimed as rebels and denounced as traitors, would then be regarded as patriots and suffering martyrs in the cause of necessary reform.

To these opposite causes, may very probably be ascribed the different and conflicting accounts of Bacon's rebellion, which may be found in our histories and ancient records. In some of these Bacon is stigmatized as an attainted traitor, and is branded with many other opprobrious epithets: while in others he is compared to Brutus and to Cromwell. Each of these representations, is probably wide of the truth, being dictated by the feelings prevalent in the country, at the time it was given.

However great the irritation or ardor the enthusiasm by which Bacon and his adherents were propelled, it can not be believed that either he or they were so ignorant of the condition of the colony at that time, as to have conceived it to be practicable to have separated Virginia from the mother country; or to have maintained independence, even ^{if} it had been desirable to achieve it. The inhabited territory of Virginia, at this time, did not extend beyond the tide water country, in any direction; this narrow territory was occupied by a population scattered very sparsely over it, the whole of which population, of every description, both bond and free, did not amount to forty thousand souls. The military force of the colony, was composed entirely of its militia, and did not exceed five thousand men, of all sorts. And such was the poverty of the people, that the whole revenue of

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Virginia, although decried under a system of most burdensome and oppressive taxation, did not exceed twenty thousand dollars per annum, the greater part of which was payable in tobacco. It must have been madness or folly that could have desired the independence of such a country, or entertained the vain hope that it would be practicable to accomplish any such purpose, against the will of the parent state. Nothing known to us of the character of Bacon, justifies the supposition that he was an enthusiast so visionary as to have conceived any such wild scheme. His object seems to have been merely to obtain relief against some of the grievances by which the colony was then oppressed by its own local government; and the idea of shaking off allegiance to the British crown, does not appear to have been entertained either by himself or by any of his adherents.

To understand the true causes of this commotion, we must endeavour to obtain an accurate knowledge of the condition of the colony, at this time. To do this however, it will be necessary to examine the nature of the government, by which it was brought into this condition; as well as the immediate causes of the general discontent that then prevailed. I will endeavour to explain these things as briefly as possible.

Virginia was settled at first, under the direction of a Company of "Knights, Gentlemen, Merchants and other Adventurers, of the City of London", who were incorporated by a Charter granted to them by King James the first, on the 10th day of April 1606. By this charter, the government of the intended colony, was committed to a Superior Council established in England, to consist of thirteen persons, who were to be appointed by the King. Besides this superior council however, the immediate government was entrusted to another subordinate council, ^{of thirteen persons,} to be established in the colony itself, which subordinate council was to be appointed by the Superior Council. These councils, were to govern the colony, in all things, "according to" "such laws, ordinances and instructions, as should be in" "that behalf given and signed by the King." (e)

(e) See Stith's History of Virginia. Appendix. No. I. page 120

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Such a government, was as little suited to the prosperity of the colonists, as to the interest of the Company. Therefore, very soon after the first settlement in the colony was made, the Company applied to the King, to amend this charter. Their application was granted; and on the 23^d of May 1609, they received a new charter, from the same monarch. By this new charter, the Company was styled "The Treasurer and Company of Adventurers and planters of the City of London, for the first Colony of Virginia"; and the former government of the colony was changed. The new charter continued the Superior council established in England, according to the provisions of the first charter; but abolished the other subordinate council thereby required. In lieu of this, it gave authority to the Superior council in England, "to make ordain and establish any forms and ceremonies of government and magistracy, which they might think fit and necessary, for and concerning the government of the colony and plantation." (f)

In pursuance of this authority, the Superior Council in England, established, at first, a species of military government, and appointed Sir Thomas West Lord Delawar to be Captain General of Virginia, during his life^(g). Under this form of government the colony continued for many years, until the death of Lord Delawar; when the complaints of the colonists, in consequence of the tyrannical conduct of Captain Argall, the deputy governor, induced the Superior Council to abolish it. This Council then ordained, that thenceforth there should be two councils in Virginia, the one to be called the Council of State, to be placed and displaced by the Treasurer Council and Company in England, from time to time, whose office was to be that of assisting and advising the governor. The other to be called the General Assembly, to be convened by the governor yearly or oftener, which was to consist of the council of state, and of two burgeses out of every town, hundred or plantation, to be respectively chosen by the inhabitants. In

(f) See Stith's History of Virginia. Appendix. No II. pages 84.

(g) See Stith's History of Virginia. page 103.