

## V.

POLITICS AND SOCIAL STRUCTURE  
IN VIRGINIA*Bernard Bailyn*

HARVARD UNIVERSITY

BY THE END OF THE seventeenth century the American colonists faced an array of disturbing problems in the conduct of public affairs. Settlers from England and Holland, reconstructing familiar institutions on American shores, had become participants in what would appear to have been a wave of civil disobedience. Constituted authority was confronted with repeated challenges. Indeed, a veritable anarchy seems to have prevailed at the center of colonial society, erupting in a series of insurrections that began as early as 1635 with the "thrusting out" of Governor Harvey in Virginia. Culpeper's Rebellion in Carolina, the Protestant Association in Maryland, Bacon's Rebellion in Virginia, Leisler's seizure of power in New York, the resistance to and finally the overthrow of Andros in New England—every colony was affected.

These outbursts were not merely isolated local affairs. Although their immediate causes were rooted in the particular circumstances of the separate colonies, they nevertheless had common characteristics. They were, in fact, symptomatic of a profound disorganization of European society in its American setting. Seen in a broad view, they reveal a new configuration of forces which shaped the origins of American politics.

In a letter written from Virginia in 1623, George Sandys, the resident treasurer, reported despondently on the character and condition of the leading settlers. Some of the councilors were "no more then Ciphers," he wrote; others were "miserable poore"; and the few sub-

stantial planters lived apart, taking no responsibility for public concerns. There was, in fact, among all those "worthie the mencioninge" only one person deserving of full approval. Lieutenant William Peirce "refuses no labour, nor sticks at anie expences that may aduantage the publique." Indeed, Sandys added, Peirce was "of a Capacitie that is not to bee expected in a man of his breeding."<sup>1</sup>

The afterthought was penetrating. It cut below the usual complaints of the time that many of the settlers were lazy malcontents hardly to be preferred to the Italian glassworkers, than whom, Sandys wrote, "a more damned crew hell never vomited."<sup>2</sup> What lay behind Sandys' remark was not so much that wretched specimens were arriving in the shipments of servants nor even that the quality of public leadership was declining but that the social foundations of political power were being strangely altered.

All of the settlers in whatever colony presumed a fundamental relationship between social structure and political authority. Drawing on a common medieval heritage, continuing to conceive of society as a hierarchical unit, its parts justly and naturally separated into inferior and superior levels, they assumed that superiority was indivisible; there was not one hierarchy for political matters, another for social purposes. John Winthrop's famous explanation of God's intent that "in all times some must be rich some poore, some highe and eminent in power and dignitie; others meane and in subieccion" could not have been more carefully worded. Riches, dignity, and power were properly placed in apposition; they pertained to the same individuals.<sup>3</sup>

So closely related were social leadership and political leadership that experience if not theory justified an identification between state and society. To the average English colonist the state was not an abstraction existing above men's lives, justifying itself in its own terms, taking occasional human embodiment. However glorified in monarchy, the state in ordinary form was indistinguishable from a more general social authority; it was woven into the texture of everyday life. It was the same squire or manorial lord who in his various capacities collated to the benefice, set the rents, and enforced the statutes of Parliament and the royal decrees. Nothing could have been more alien to the settlers than the idea that competition for political leadership should be open to all levels of society or that obscure social origins or technical skills should be considered valuable qualifications

1. Sandys to John Ferrar, April 11, 1623, Susan M. Kingsbury, ed., *The Records of the Virginia Company of London* (4 vols.; Washington, D. C., 1906-35), IV, 110-11.

2. Sandys to "Mr. Farrer," March 1622/23, *ibid.*, 23.

3. John Winthrop, "Modell of Christian Charity," *Winthrop Papers* (5 vols.; Boston, 1929-47), II, 282.

for office. The proper response to new technical demands on public servants was not to give power to the skilled but to give skills to the powerful.<sup>4</sup> The English gentry and landed aristocracy remained politically adaptable and hence politically competent, assuming when necessary new public functions, eliminating the need for a professional state bureaucracy. By their amateur competence they made possible a continuing identification between political and social authority.

In the first years of settlement no one had reason to expect that this characteristic of public life would fail to transfer itself to the colonies. For at least a decade and a half after its founding there had been in the Jamestown settlement a small group of leaders drawn from the higher echelons of English society. Besides well-born soldiers of fortune like George Percy, son of the Earl of Northumberland, there were among them four sons of the West family—children of Lord de la Warr and his wife, a second cousin of Queen Elizabeth. In Virginia the West brothers held appropriately high positions; three of them served as governors.<sup>5</sup> Christopher Davison, the colony's secretary, was the son of Queen Elizabeth's secretary, William Davison, M.P. and Privy Councillor.<sup>6</sup> The troublesome John Martin, of Martin's Brandon, was the son of Sir Richard Martin, twice Lord Mayor of London, and also the brother-in-law of Sir Julius Caesar, Master of the Rolls and Privy Councillor.<sup>7</sup> Sir Francis and Haute Wyatt were sons of substantial Kent gentry and grandsons of the Sir Thomas Wyatt who led the rebellion of 1554 against Queen Mary.<sup>8</sup> George Sandys' father was the Archbishop of York; of his three older brothers, all knights and M.P.'s, two were eminent country gentlemen, and the third, Edwin, of Virginia Company fame, was a man of great influence in the city.<sup>9</sup> George Thorpe was a former M.P. and Gentleman of the Privy Chamber.<sup>10</sup>

More impressive than such positions and relationships was the cultural level represented. For until the very end of the Company period, Virginia remained to the literary and scientific an exotic attraction, its settlement an

4. Cf. J. H. Hexter, "The Education of the Aristocracy in the Renaissance," *Jour. of Modern Hist.*, 22 (1950), 1-20.

5. *Dictionary of National Biography*, 1908-9 edn. (New York), XV, 836-37; Annie L. Jester and Martha W. Hiden, comps. and eds., *Adventurers of Purse and Person: Virginia 1607-1625* ([Princeton, N. J.], 1956), 349-50.

6. *D.N.B.*, V, 632; Richard B. Davis, *George Sandys: Poet-Adventurer* (London, 1955), 112-13n.

7. Alexander Brown, *Genesis of the United States* (Boston, 1890), II, 943-44.

8. Jester and Hiden, comps., *Adventurers*, 372; *D.N.B.*, XXI, 1092-93, 1102-4.

9. Davis, *Sandys*, Chap. I.

10. Brown, *Genesis*, II, 1031.

important moment in Christian history.<sup>11</sup> Its original magnetism for those in touch with intellectual currents affected the early immigration. Of the twenty councilors of 1621, eight had been educated at Oxford, Cambridge, or the Inns of Court. Davison, like Martin trained in the law, was a poet in a family of poets. Thorpe was a "student of Indian views on religion and astronomy." Francis Wyatt wrote verses and was something of a student of political theory. Alexander Whitaker, M.A., author of *Good Newes from Virginia*, was the worthy heir "of a good part of the learning of his renowned father," the master of St. John's College and Regius Professor of Divinity at Cambridge. John Pory, known to history mainly as the speaker of the first representative assembly in America, was a Master of Arts, "protege and disciple of Hakluyt," diplomat, scholar, and traveler, whose writings from and about America have a rightful place in literary history. Above all there was George Sandys, "poet, traveller, and scholar," a member of Lord Falkland's literary circle; while in Jamestown he continued as a matter of course to work on his notable translation of Ovid's *Metamorphoses*.<sup>12</sup>

There was, in other words, during the first years of settlement a direct transference to Virginia of the upper levels of the English social hierarchy as well as of the lower. If the great majority of the settlers were recruited from the yeoman class and below, there was nevertheless a reasonable representation from those upper groups acknowledged to be the rightful rulers of society.

It is a fact of some importance, however, that this governing elite did not survive a single generation, at least in its original form. By the thirties their number had declined to insignificance. Percy, for example, left in 1612. Whitaker drowned in 1617. Sandys and Francis Wyatt arrived only in 1621, but their enthusiasm cooled quickly; they were both gone by 1626. Of the Wests, only John was alive and resident in the colony a decade after the collapse of the Company. Davison, who returned to England in 1622 after only a year's stay, was sent back in 1623 but died within a year of his return. Thorpe was one of the six councilors slain in the massacre of 1622. Pory left for England in 1622; his return as investigating commissioner in 1624 was temporary, lasting only a few months. And the cantankerous Martin graced the Virginia scene by his

11. Perry Miller, *Errand into the Wilderness* (Cambridge, Mass., 1956), 99-140; Howard Mumford Jones, *The Literature of Virginia in the Seventeenth Century* (*Memoirs of the American Academy of Arts and Sciences*, XIX, Part 2, Boston, 1946), 3-7.

12. Davis, *Sandys*, especially 190-92; Harry C. Porter, "Alexander Whitaker," *Wm. and Mary Q'tly.*, 3rd ser., 14 (1957), 336; Jones, *Literature of Virginia*, 14n, 5-6, 26-28.

absence after 1625; he is last heard from in the early 1630's petitioning for release from a London debtor's prison.<sup>13</sup>

To be sure, a few representatives of important English families, like John West and Edmund Scarborough, remained. There were also one or two additions from the same social level.<sup>14</sup> But there were few indeed of such individuals, and the basis of their authority had changed. The group of gentlemen and illuminati that had dominated the scene during the Company era had been dispersed. Their disappearance created a political void which was filled soon enough, but from a different area of recruitment, from below, from the toughest and most fortunate of the surviving planters whose eminence by the end of the thirties had very little to do with the transplantation of social status.<sup>15</sup>

The position of the new leaders rested on their ability to wring material gain from the wilderness. Some, like Samuel Mathews, started with large initial advantages,<sup>16</sup> but more typical were George Menefie and John

13. Davis, *Sandys*, 195-97, 112-13n; Jester and Hiden, comps., *Adventurers*, 350-51; Brown, *Genesis*, II, 1031, 970; *Va. Mag. of Hist. and Biog.*, 54 (1946), 60-61; Jones, *Literature of Virginia*, 14n.

14. Scarborough was a well-educated younger son of an armigerous Norfolk family. Among the additions were Charles Harmar (who died in 1640), nephew of the warden of Winchester College and brother of the Greek Reader, later the Greek Professor, at Oxford; and Nathaniel Littleton, whose father was Chief Justice of North Wales, two of whose brothers were Fellows of All Souls and a third Chief Justice of Common Pleas and Lord Keeper of the Great Seal. Susie M. Ames, ed., *County Court Records of Accomack-Northampton, Virginia, 1632-1640* (Washington, D. C., 1954), xxvii, xxix-xxx, xxxv.

15. The difficulty of maintaining in Virginia the traditional relationship between social and political authority became in 1620 the basis of an attack by a group of "ancient planters," including Francis West, on the newly appointed governor, Sir George Yeardley. Although Yeardley had been knighted two years earlier in an effort to enhance his personal authority, the petitioners argued that his lack of eminence was discouraging settlement. "Great Actions," they wrote, "are carryed wth best successe by such Commanders who haue personall Auctoritye & greatness answerable to the Action, Sithence itt is nott easye to swaye a vulgar and seruile Nature by vulgar & seruile Spiritts." Leadership should devolve on commanders whose "Eminence or Nobillitye" is such that "euerye man subordinate is ready to yeild a willing submission wthout contempt or repyning." The ordinary settlers, they said, would not obey the same authority "conferrd vpon a meane man . . . no better than selected owt of their owne Ranke." If, therefore, the Company hoped to attract and hold colonists, especially of "the better sorte," it should select as leaders in Virginia "some eythar Noble or little lesse in Honor or Dowry . . . to maintayne & hold vp the dignitie of so Great and good a cawse." Kingsbury, ed., *Records of the Virginia Company*, III, 231-32.

16. For Mathews' twenty-three servants and his "Denbigh" plantation, described in 1649 as a self-sufficient village, see John C. Hotten, ed., *Original List of Persons of Quality . . .* (London, 1874), 233-34; Jester and Hiden, comps., *Adventurers*, 244-45; *A Perfect Description of Virginia . . .*, in Peter Force, comp., *Tracts and Other Papers Relating Principally to the Origin, Settlement, and Progress of the Colonies in North America* (4 vols., Washington, D. C., 1836-46), II, no. 8, 14-15.

Utie, who began as independent landowners by right of transporting themselves and only one or two servants. Abraham Wood, famous for his explorations and like Menefie and Utie the future possessor of large estates and important offices, appears first as a servant boy on Mathews' plantation. Adam Thoroughgood, the son of a country vicar, also started in Virginia as a servant, aged fourteen. William Spencer is first recorded as a yeoman farmer without servants.<sup>17</sup>

Such men as these—Spencer, Wood, Menefie, Utie, Mathews—were the most important figures in Virginia politics up to the Restoration, engrossing large tracts of land, dominating the Council, unseating Sir John Harvey from the governorship. But in no traditional sense were they a ruling class. They lacked the attributes of social authority, and their political dominance was a continuous achievement. Only with the greatest difficulty, if at all, could distinction be expressed in a genteel style of life, for existence in this generation was necessarily crude. Mathews may have created a flourishing estate and Menefie had splendid fruit gardens, but the great tracts of land such men claimed were almost entirely raw wilderness. They had risen to their positions, with few exceptions, by brute labor and shrewd manipulation; they had personally shared the burdens of settlement. They succeeded not because of, but despite, whatever gentility they may have had. William Claiborne may have been educated at the Middle Temple; Peirce could not sign his name; but what counted was their common capacity to survive and flourish in frontier settlements.<sup>18</sup> They were tough, unsentimental, quick-tempered, crudely ambitious men concerned with profits and increased landholdings, not the grace of life. They roared curses, drank exuberantly, and gambled (at least according to deVries) for their servants when other commodities were lacking.<sup>19</sup> If the worst of Governor Harvey's offenses had been to knock out the teeth of an offending councilor with a cudgel, as he did on one occasion, no one would have questioned his right to the governorship.<sup>20</sup> Rank had

17. Jester and Hiden, comps., *Adventurers*, 248-49, 321, 329, 339-40; Hotten, ed., *Persons of Quality*, 226, 237, 233, 253, 228; Clarence W. Alvord and Lee Bidgood, *The First Explorations of the Trans-Alleghany Region . . . 1650-1674* (Cleveland, 1912), 34 ff.

18. *Wm. and Mary Q'tly.*, 2nd ser., 19 (1939), 475n; Davis, *Sandys*, 158n.

19. Ames, ed., *Accomack-Northampton Recs.*, xxxiv, xxxix-xl; Susie M. Ames, *Studies of the Virginia Eastern Shore in the Seventeenth Century* (Richmond, Va., 1940), 181, 183. DeVries wrote of his astonishment at seeing servants gambled away: "I told them that I had never seen such work in Turk or Barbarian, and that it was not becoming Christians." David P. deVries, *Short Historical . . . Notes of several Voyages . . .* (Hoorn, 1655), reprinted in the New York Hist. Soc., *Collections*, 2nd ser., 3 (1857), 36, 125.

20. Harvey readily confessed to the deed, offering as an official justification the fact that it had all taken place outside the Council chamber, and anyhow the

its privileges, and these men were the first to claim them, but rank itself was unstable and the lines of class or status were fluid. There was no insulation for even the most elevated from the rude impact of frontier life.

As in style of life so in politics, these leaders of the first permanently settled generation did not re-create the characteristics of a stable gentry. They had had little opportunity to acquire the sense of public responsibility that rests on deep identification with the land and its people. They performed in some manner the duties expected of leaders, but often public office was found simply burdensome. Reports such as Sandys' that Yeardley, the councilor and former governor, was wholly absorbed in his private affairs and scarcely glanced at public matters and that Mathews "will rather hazard the payment of forfeitures than performe our Injunctions" were echoed by Harvey throughout his tenure of office. Charles Harmar, justice of the peace on the Eastern Shore, attended the court once in eight years, and Claiborne's record was only slightly better. Attendance to public duties had to be specifically enjoined, and privileges were of necessity accorded provincial officeholders. The members of the Council were particularly favored by the gift of tax exemption.<sup>21</sup>

The private interests of this group, which had assumed control of public office by virtue not of inherited status but of newly achieved and strenuously maintained economic eminence, were pursued with little interference from the traditional restraints imposed on a responsible ruling class. Engaged in an effort to establish themselves in the land, they sought as specific ends: autonomous local jurisdiction, an aggressive expansion of settlement and trading enterprises, unrestricted access to land, and, at every stage, the legal endorsement of acquisitions. Most of the major public events for thirty years after the dissolution of the Company—and especially the overthrow of Harvey—were incidents in the pursuit of these goals.

From his first appearance in Virginia, Sir John Harvey threatened the interests of this emerging planter group. While still in England he had identified himself with the faction that had successfully sought the collapse of the Company, and thus his mere presence in Virginia was a threat to the legal basis of land grants made under the Company's charter. His demands for the return as public property of goods that had once belonged to the

fellow had "assailed him with ill language." *The Aspinwall Papers*, Mass. Hist. Soc., *Collections*, 4th ser., 9 (1871), 133n.

21. Kingsbury, ed., *Records of the Virginia Company*, IV, 110-11; *Va. Mag. of Hist. and Biog.*, 8 (1900-1), 30; Ames, ed., *Accomack-Norhampton Recs.*, xxv, xxix; William W. Hening, ed., *The Statutes-at-Large . . . of Virginia (1619-1792)* (New York, 1823), I, 350, 454; Philip A. Bruce, *Institutional History of Virginia in the Seventeenth Century* (2 vols.; New York, 1910), II, Chaps. XV, XXIX.

Company specifically jeopardized the planters' holdings. His insistence that the governorship was more than a mere chairmanship of the Council tended to undermine local autonomy. His conservative Indian policy not only weakened the settlers' hand in what already seemed an irreconcilable enmity with the natives but also restricted the expansion of settlement. His opposition to Claiborne's claim to Kent Island threatened to kill off the lucrative Chesapeake Bay trade, and his attempt to ban the Dutch ships from the colony endangered commerce more generally. His support of the official policy of economic diversification, together with his endorsement of the English schemes of tobacco monopoly, alienated him finally and completely from the Council group.<sup>22</sup>

Within a few months of his assuming the governorship, Harvey wrote home with indignation of the "waywardnes and oppositions" of the councilors and condemned them for factiously seeking "rather for their owne ends then either seekinge the generall good or doinge right to particuler men." Before a year was out the antagonisms had become so intense that a formal peace treaty had to be drawn up between Harvey and the Council. But both sides were adamant, and conflict was inescapable. It exploded in 1635 amid comic opera scenes of "extreame coler and passion" complete with dark references to Richard the Third and musketeers "running with their peices presented." The conclusion was Harvey's enraged arrest of George Menefie "of suspicion of Treason to his Majestie"; Utie's response, "And wee the like to you sir"; and the governor's forced return to England.<sup>23</sup>

Behind these richly heroic "passings and repassings to and fro" lies not a victory of democracy or representative institutions or anything of the sort. Democracy, in fact, was identified in the Virginians' minds with the "popular and tumultuary government" that had prevailed in the old Company's quarter courts, and they wanted none of it; the Assembly as a representative institution was neither greatly sought after nor hotly resisted.<sup>24</sup> The victory of 1635 was that of resolute leaders of settlement stubbornly fighting for individual establishment. With the reappointment of Sir Francis Wyatt as governor, their victory was assured and in the

22. The charges and countercharges are summarized, together with supporting documents, in the profuse footnotes of *Aspinwall Papers*, 131-52.

23. *Va. Mag. of Hist. and Biog.*, 8 (1900-1), 30, 43-45; 1 (1893-94), 418, 419, 427, 420.

24. *Ibid.*, 1 (1893-94), 418; Hening, ed., *Va. Stat. at L.*, I, 232-33. For a balanced statement of the importance attached by contemporaries to Virginia's representative Assembly, see Wesley Frank Craven, *Dissolution of the Virginia Company* (New York, 1932), 71 ff., 330 ff. Cf. Charles M. Andrews, *The Colonial Period of American History* (4 vols.; New Haven, Conn., 1934-38), I, 181 ff., and Davis, "Liberalism' in the Virginia Company and Colony," *Sandys*, Appendix G.

Commonwealth period it was completely realized. By 1658, when Mathews was elected governor, effective interference from outside had disappeared and the supreme authority had been assumed by an Assembly which was in effect a league of local magnates secure in their control of county institutions.<sup>25</sup>

One might at that point have projected the situation forward into a picture of dominant county families dating from the 1620's and 1630's, growing in identification with the land and people, ruling with increasing responsibility from increasingly eminent positions. But such a projection would be false. The fact is that with a few notable exceptions like the Scarboroughs and the Wormeleys, these struggling planters of the first generation failed to perpetuate their leadership into the second generation. Such families as the Woods, the Uties, the Mathews, and the Peirces faded from dominant positions of authority after the deaths of their founders. To some extent this was the result of the general insecurity of life that created odds against the physical survival in the male line of any given family. But even if male heirs had remained in these families after the death of the first generation, undisputed eminence would not. For a new emigration had begun in the forties, continuing for close to thirty years, from which was drawn a new ruling group that had greater possibilities for permanent dominance than Harvey's opponents had had. These newcomers absorbed and subordinated the older group, forming the basis of the most celebrated oligarchy in American history.

Most of Virginia's great eighteenth-century names, such as Bland, Burwell, Byrd, Carter, Digges, Ludwell, and Mason, appear in the colony for the first time within ten years either side of 1655. These progenitors of the eighteenth-century aristocracy arrived in remarkably similar circumstances. The most important of these immigrants were younger sons of substantial families well connected in London business and governmental circles and long associated with Virginia; family claims to land in the colony or inherited shares of the original Company stock were now brought forward as a basis for establishment in the New World.

Thus the Bland family interests in Virginia date from a 1618 investment in the Virginia Company by the London merchant John Bland, supplemented in 1622 by another in Martin's Hundred. The merchant never touched foot in America, but three of his sons did come to Virginia in the forties and fifties to exploit these investments. The Burwell fortunes derive from the early subscription to the Company of Edward Burwell, which was inherited in the late forties by his son, Lewis I. The first Wil-

25. Wesley Frank Craven, *The Southern Colonies in the Seventeenth Century, 1607-1689* (Baton Rouge, La., 1949), 288-94.

liam Byrd arrived about 1670 to assume the Virginia properties of his mother's family, the Steggs, which dated back to the early days of the Company. The Digges's interests in Virginia stem from the original investments of Sir Dudley Digges and two of his sons in the Company, but it was a third son, Edward, who emigrated in 1650 and established the American branch of the family. Similarly, the Masons had been financially interested in Virginia thirty-two years before 1652, when the first immigrant of that family appeared in the colony. The Culpeper clan, whose private affairs enclose much of the history of the South in the second half of the seventeenth century, was first represented in Virginia by Thomas Culpeper, who arrived in 1649; but the family interests in Virginia had been established a full generation earlier: Thomas' father, uncle, and cousin had all been members of the original Virginia Company and their shares had descended in the family. Even Governor Berkeley fits the pattern. There is no mystery about his sudden exchange in 1642 of the life of a dilettante courtier for that of a colonial administrator and estate manager. He was a younger son without prospects, and his family's interests in Virginia, dating from investments in the Company made twenty years earlier, as well as his appointment held out the promise of an independent establishment in America.<sup>26</sup>

Claims on the colony such as these were only one, though the most important, of a variety of forms of capital that might provide the basis for secure family fortunes. One might simply bring over enough of a merchant family's resources to begin immediately building up an imposing estate, as, presumably, did that ambitious draper's son, William Fitzhugh. The benefits that accrued from such advantages were quickly translated into landholdings in the development of which these settlers were favored by the chronology of their arrival. For though they extended the area of cultivation in developing their landholdings, they were not obliged to initiate settlement. They fell heirs to large areas of the tidewater region that had already been brought under cultivation. "Westover" was not the creation of William Byrd; it had originally been part of the De la Warr estate, passing, with improvements, to Captain Thomas Pawlett, thence to Theodorick Bland, and finally to Byrd. Lewis Burwell inherited not only his father's land, but also the developed estate of his stepfather,

26. Nell M. Nugent, *Cavaliers and Pioneers* (Richmond, Va., 1934), I, 160; Jester and Hiden, comps., *Adventurers*, 97, 108, 154-55, 288; Louis B. Wright, *The First Gentlemen of Virginia* (San Marino, Calif., 1940), 312-13; *Va. Mag. of Hist. and Biog.*, 35 (1927), 227-28; Helen Hill, *George Mason, Constitutionalist* (Cambridge, Mass., 1938), 3-4; Fairfax Harrison, "A Key Chart of the . . . Culpepers . . ." *Va. Mag. of Hist. and Biog.*, 33 (1925), f. 113, 339, 344; *D.N.B.*, II, 368; Kingsbury, ed., *Records of the Virginia Company*, II, 75, 90, 391.

Wingate. Some of the Carters' lands may be traced back through John Utie to a John Jefferson, who left Virginia as early as 1628. Abraham Wood's entire Fort Henry property ended in the hands of the Jones family. The Blands' estate in Charles City County, which later became the Harrisons' "Berkeley" plantation, was cleared for settlement in 1619 by servants of the "particular" plantation of Berkeley's Hundred.<sup>27</sup>

Favored thus by circumstance, a small group within the second generation migration moved toward setting itself off in a permanent way as a ruling landed gentry. That they succeeded was due not only to their material advantages but also to the force of their motivation. For these individuals were in social origins just close enough to establishment in gentility to feel the pangs of deprivation most acutely. It is not the totally but the partially dispossessed who build up the most propulsive aspirations, and behind the zestful lunging at propriety and status of a William Fitzhugh lay not the narcotic yearnings of the disinherited but the pent-up ambitions of the gentleman *manqué*. These were neither hardhanded pioneers nor dilettante romantics, but ambitious younger sons of middle-class families who knew well enough what gentility was and sought it as a specific objective.<sup>28</sup>

The establishment of this group was rapid. Within a decade of their arrival they could claim, together with a fortunate few of the first generation, a marked social eminence and full political authority at the county level. But their rise was not uniform. Indeed, by the seventies a new circumstance had introduced an effective principle of social differentiation among the colony's leaders. A hierarchy of position within the newly risen gentry was created by the Restoration government's efforts to extend its control more effectively over its mercantile empire. Demanding of its colonial executives and their advisors closer supervision over the external aspects of the economy, it offered a measure of patronage necessary for enforcement. Public offices dealing with matters that profoundly affected the basis of economic life—tax collection, customs regulation, and the bestowal of land grants—fell within the gift of the governor and tended to form an inner circle of privilege. One can note in Berkeley's administration the growing importance of this barrier of officialdom. Around its privileges there formed the "Green Spring" faction, named after Berkeley's plantation near Jamestown, a group bound to the governor not by royalist sympathies so much as by ties of kinship and patronage.

27. Wright, *First Gentlemen*, 155 ff.; Jester and Hiden, comps., *Adventurers*, 98, 108, 339-41, 363-64, 97, 99.

28. Fitzhugh's letters, scattered through the *Va. Mag. of Hist. and Biog.*, I-VI, cannot be equalled as sources for the motivation of this group.

Thus Colonel Henry Norwood, related to Berkeley by a "near affinity in blood," was given the treasurership of the colony in 1650, which he held for more than two decades. During this time Thomas Ludwell, a cousin and Somerset neighbor of the governor, was secretary of state, in which post he was succeeded in 1678 by his brother Philip, who shortly thereafter married Berkeley's widow. This Lady Berkeley, it should be noted, was the daughter of Thomas Culpeper, the immigrant of 1649 and a cousin of Thomas Lord Culpeper who became governor in 1680. Immediately after her marriage to Berkeley, her brother Alexander requested and received from the governor the nomination to the surveyor-generalship of Virginia, a post he filled for twenty-three years while resident in England, appointing as successive deputies the brothers Ludwell, to whom by 1680 he was twice related by marriage. Lady Berkeley was also related through her mother to William Byrd's wife, a fact that explains much about Byrd's prolific office-holding.<sup>29</sup>

The growing distinctiveness of provincial officialdom within the landed gentry may also be traced in the transformation of the Council. Originally, this body had been expected to comprise the entire effective government, central and local; councilors were to serve, individually or in committees, as local magistrates. But the spread of settlement upset this expectation, and at the same time as the local offices were falling into the hands of autonomous local powers representing leading county families, the Council,

29. Colonel [Henry] Norwood, *A Voyage to Virginia* (1649), in Force, ed., *Tracts*, III, 49, 50; *Va. Mag. of Hist. and Biog.*, 33 (1925), 5, 8; Harrison, "Key Chart," *ibid.*, 351-55, 348; *Wm. and Mary Q. J.*, 1st ser., 19 (1910-11), 209-10. It was after Culpeper's appointment to the governorship that Byrd was elevated to the Council and acquired the auditor- and receiver-generalships. William G. and Mary N. Stanard, comps., *The Colonial Virginia Register* (Albany, N. Y., 1902), 22-23.

The Berkeley-Norwood connection may be followed out in other directions. Thus the Colonel Francis Moryson mentioned by Norwood as his friend and traveling companion and whom he introduced to the governor was given command of the fort at Point Comfort upon his arrival in 1649, replacing his brother, Major Richard Moryson, whose son Charles was given the same post in the 1660's. Francis, who found the command of the fort "profitable to him," was elevated by Berkeley to the Council and temporarily to the deputy-governorship, "wherein he got a competent estate"; he finally returned to England in the position of colony agent. Norwood, *Voyage*, 50; *Va. Mag. of Hist. and Biog.*, 9 (1900-1), 122-23; Ella Lonn, *The Colonial Agents of the Southern Colonies* (Chapel Hill, 1945), 21 ff.

The inner kinship core of the group enclosed the major provincial positions mentioned above. But the wider reaches of the clique extended over the Council, the collectorships, and the naval offices as well as minor positions within the influence of the governor. On these posts and their holders, see Stanard and Stanard, comps., *Va. Register*, 38-40; Bruce, *Institutional History*, II, Chaps. XXXVIII-XLII. On the limitations of the gubernatorial influence after 1660, see Craven, *Southern Colonies*, 293.

appointed by the governor and hence associated with official patronage, increasingly realized the separate, lucrative privileges available to it.<sup>30</sup>

As the distinction between local and central authority became clear, the county magistrates sought their own distinct voice in the management of the colony, and they found it in developing the possibilities of burgess representation. In the beginning there was no House of Burgesses; representation from the burghs and hundreds was conceived of not as a branch of government separate from the Council but as a periodic supplement to it.<sup>31</sup> Until the fifties the burgesses, meeting in the Assemblies with the councilors, felt little need to form themselves into a separate house, for until that decade there was little evidence of a conflict of interests between the two groups. But when, after the Restoration, the privileged status of the Council became unmistakable and the county magnates found control of the increasingly important provincial administration pre-empted by this body, the burgess part of the Assembly took on a new meaning in contrast to that of the Council. Burgess representation now became vital to the county leaders if they were to share in any consistent way in affairs larger than those of the counties. They looked to the franchise, hitherto broad not by design but by neglect, introducing qualifications that would ensure their control of the Assembly. Their interest in provincial government could no longer be expressed in the conglomerate Assembly, and at least by 1663 the House of Burgesses began to meet separately as a distinct body voicing interests potentially in conflict with those of the Council.<sup>32</sup>

Thus by the eighth decade the ruling class in Virginia was broadly based on leading county families and dominated at the provincial level by a privileged officialdom. But this social and political structure was too new, too lacking in the sanctions of time and custom, its leaders too close to humbler origins and as yet too undistinguished in style of life, to be accepted without a struggle. A period of adjustment was necessary, of which Bacon's Rebellion was the climactic episode.

Bacon's Rebellion began as an unauthorized frontier war against the Indians and ended as an upheaval that threatened the entire basis of social and political authority. Its immediate causes have to do with race relations and settlement policy, but behind these issues lay deeper elements related to resistance against the maturing shape of a new social order. These elements explain the dimensions the conflict reached.

30. Craven, *Southern Colonies*, 167-69, 270, 288; Bruce, *Institutional History*, II, Chap. XV.

31. For the Assembly as "the other Counsell," see the "Ordinance and Constitution" of 1621 in Kingsbury, ed., *Records of the Virginia Company*, III, 483-84.

32. Andrews, *Colonial Period*, I, 184-85; Craven, *Southern Colonies*, 289 ff.

There was, first, resistance by substantial planters to the privileges and policies of the inner provincial clique led by Berkeley and composed of those directly dependent on his patronage. These dissidents, among whom were the leaders of the Rebellion, represented neither the down-trodden masses nor a principle of opposition to privilege as such. Their discontent stemmed to a large extent from their own exclusion from privileges they sought. Most often their grievances were based on personal rebuffs they had received as they reached for entry into provincial officialdom. Thus—to speak of the leaders of the Rebellion—Giles Bland arrived in Virginia in 1671 to take over the agency of his late uncle in the management of his father's extensive landholdings, assuming at the same time the lucrative position of customs collector which he had obtained in London. But, amid angry cries of "pittyfull fellow, puppy and Sonn of a Whore," he fell out first with Berkeley's cousin and favorite, Thomas Ludwell, and finally with the governor himself; for his "Barbarous and Insolent Behaviors" Bland was fined, arrested, and finally removed from the collectorship.<sup>33</sup> Of the two "chiefe Incendiarys," William Drummond and Richard Lawrence, the former had been quarreling with Berkeley since 1664, first over land claims in Carolina, then over a contract for building a fort near James City, and repeatedly over lesser issues in the General Court; Lawrence "some Years before . . . had been partially treated at Law, for a considerable Estate on behalfe of a Corrupt favorite." Giles Brent, for his depredations against the Indians in violation of official policy, had not only been severely fined but barred from public office.<sup>34</sup> Bacon himself could not have appeared under more favorable circumstances. A cousin both of Lady Berkeley and of the councilor Nathaniel Bacon, Sr., and by general agreement "a Gent:man of a Liberall education" if of a somewhat tarnished reputation, he had quickly staked out land for himself and had been elevated, for reasons "best known to the Governour," to the Council. But being "of a most imperious and dangerous hidden Pride of heart . . . very ambitious and arrogant," he wanted more, and quickly. His alienation from and violent opposition to Berkeley were wound in among the animosities created by the Indian problem and were further complicated by his own unstable personality; they were related also to the fact that Berkeley finally turned down the

33. Jester and Hiden, comps., *Adventurers*, 98-99; H. R. McIlwaine, ed., *Minutes of the Council and General Court . . . 1622-1632, 1670-1676* (Richmond, Va., 1924), 399, 423.

34. Charles M. Andrews, ed., *Narratives of the Insurrections, 1675-1690* (New York, 1915), 96, 27; Wilcomb E. Washburn, "The Humble Petition of Sarah Drummond," *Wm. and Mary Qly.*, 3rd ser., 13 (1956), 368-69; H. R. McIlwaine, ed., *Journals of the House of Burgesses of Virginia 1659/60-1693* (Richmond, Va., 1914), 14.

secret offer Bacon and Byrd made in 1675 for the purchase from the governor of a monopoly of the Indian trade.<sup>35</sup>

These specific disputes have a more general aspect. It was three decades since Berkeley had assumed the governorship and begun rallying a favored group, and it was over a decade since the Restoration had given this group unconfined sway over the provincial government. In those years much of the choice tidewater land as well as the choice offices had been spoken for, and the tendency of the highly placed was to hold firm. Berkeley's Indian policy—one of stabilizing the borders between Indians and whites and protecting the natives from depredation by land-hungry settlers—although a sincere attempt to deal with an extremely difficult problem, was also conservative, favoring the established. Newcomers like Bacon and Bland and particularly landholders on the frontiers felt victimized by a stabilization of the situation or by a controlled expansion that maintained on an extended basis the existing power structure. They were logically drawn to aggressive positions. In an atmosphere charged with violence, their interests constituted a challenge to provincial authority. Bacon's primary appeal in his "Manifesto" played up the threat of this challenge:

Let us trace these men in Authority and Favour to whose hands the dispensation of the Countries wealth has been committed; let us observe the sudden Rise of their Estates [compared] with the Quality in wch they first entered this Country. . . . And lett us see wither their extractions and Education have not bin vile, And by what pretence of learning and vertue they could [enter] soe soon into Employments of so great Trust and consequence, let us . . . see what sponges have suckt up the Publique Treasure and wither it hath not bin privately contrived away by unworthy Favourites and juggling Parasites whose tottering Fortunes have bin repaired and supported at the Publique chardg.

Such a threat to the basis of authority was not lost on Berkeley or his followers. Bacon's merits, a contemporary wrote, "thretned an eclips to there rising gloryes. . . . (if he should continue in the Governours favour) of Seniours they might becom juniours, while there younger Brother . . .

35. Wilcomb E. Washburn, *The Governor and the Rebel, A History of Bacon's Rebellion in Virginia* (Chapel Hill, 1957), 17-19; Andrews, ed., *Narratives*, 74, 110. For the offer to buy the monopoly and Berkeley's initial interest in it, see Bacon to Berkeley, September 18, 1675, and William and Frances Berkeley to Bacon, September 21, 1675, Coventry Papers, Longleat Library of the Marquises of Bath, LXXVII, 6, 8 (microfilm copy, Library of Congress); for the refusal, see *Aspinwall Papers*, 166. Mr. Washburn, who first called attention to these Bacon letters at Longleat, is editing them for publication by the Virginia Historical Society.

might steale away that blessing, which they accounted there owne by birthright."<sup>36</sup>

But these challengers were themselves challenged, for another main element in the upheaval was the discontent among the ordinary settlers at the local privileges of the same newly risen county magnates who assailed the privileges of the Green Spring faction. The specific Charles City County grievances were directed as much at the locally dominant family, the Hills, as they were at Berkeley and his clique. Similarly, Surry County complained of its county court's highhanded and secretive manner of levying taxes on "the poore people" and of setting the sheriffs' and clerks' fees; they petitioned for the removal of these abuses and for the right to elect the vestry and to limit the tenure of the sheriffs. At all levels the Rebellion challenged the stability of newly secured authority.<sup>37</sup>

It is this double aspect of discontent behind the violence of the Rebellion that explains the legislation passed in June, 1676, by the so-called "Bacon's Assembly." At first glance these laws seem difficult to interpret because they express disparate if not contradictory interests. But they yield readily to analysis if they are seen not as the reforms of a single group but as efforts to express the desires of two levels of discontent with the way the political and social hierarchy was becoming stabilized. On the one hand, the laws include measures designed by the numerically predominant ordinary settlers throughout the colony as protests against the recently acquired superiority of the leading county families. These were popular protests and they relate not to provincial affairs but to the situation within the local areas of jurisdiction. Thus the statute restricting the franchise to freeholders was repealed; freemen were given the right to elect the parish vestrymen; and the county courts were supplemented by elected freemen to serve with the regularly appointed county magistrates.

On the other hand, there was a large number of measures expressing the dissatisfactions not so much of the ordinary planter but of the local leaders against the prerogatives recently acquired by the provincial elite, prerogatives linked to officialdom and centered in the Council. Thus the law barring office-holding to newcomers of less than three years' residence struck at the arbitrary elevation of the governor's favorites, including Bacon; and the acts forbidding councilors to join the county courts, outlawing the governor's appointment of sheriffs and tax collectors, and nullifying tax exemption for councilors all voiced objections of the local chieftains

36. Craven, *Southern Colonies*, 362-73; *Va. Mag. of Hist. and Biog.*, 1 (1893-94), 56-57; Andrews, ed., *Narratives*, 53.

37. *Va. Mag. of Hist. and Biog.*, 3 (1895-96), 132 ff. (esp. 142-46), 239-52, 341-49; IV, 1-15; II, 172.



to privileges enjoyed by others. From both levels there was objection to profiteering in public office.<sup>38</sup>

Thus the wave of rebellion broke and spread. But why did it subside? One might have expected that the momentary flood would have become a steady tide, its rhythms governed by a fixed political constellation. But in fact it did not; stable political alignments did not result. The conclusion to this controversy was characteristic of all the insurrections. The attempted purges and counterpurges by the leaders of the two sides were followed by a rapid submerging of factional identity. Occasional references were later made to the episode, and there were individuals who found an interest in keeping its memory alive. Also, the specific grievances behind certain of the attempted legal reforms of 1676 were later revived. But of stable parties or factions around these issues there were none.

It was not merely that in the late years of the century no more than in the early was there to be found a justification for permanently organized political opposition or party machinery, that persistent, organized dissent was still indistinguishable from sedition; more important was the fact that at the end of the century as in 1630 there was agreement that some must be "highe and eminent in power and dignitie; others meane and in subieccion."<sup>39</sup> Protests and upheaval had resulted from the discomforts of discovering who was, in fact, which, and what the particular consequences of "power and dignitie" were.

But by the end of the century the most difficult period of adjustment had passed and there was an acceptance of the fact that certain families were distinguished from others in riches, in dignity, and in access to political authority. The establishment of these families marks the emergence of Virginia's colonial aristocracy.

It was a remarkable governing group. Its members were soberly responsible, alive to the implications of power; they performed their public obligations with notable skill.<sup>40</sup> Indeed, the glare of their accomplishments is so bright as occasionally to blind us to the conditions that limited them. As a ruling class the Virginian aristocracy of the eighteenth century was unlike other contemporary nobilities or aristocracies, including the English. The differences, bound up with the special characteristics of the society it ruled, had become clear at the turn of the seventeenth century.

38. Hening, ed., *Va. Stat. at L.*, II, 341-65.

39. Thus the Burgesses, proposing in 1706 that the vestries be made elective, did not dispute the Council's assertion that the "men of Note & Estates" should have authority and assured them that the people would voluntarily elect the "best" men in the parish. H. R. McIlwaine, ed., *Legislative Journals of the Council of Colonial Virginia* (Richmond, Va., 1918-19), I, 468.

40. Charles S. Sydnor, *Gentlemen Freeholders: Political Practices in Washington's Virginia* (Chapel Hill, 1952), Chaps. I, VI-IX.

Certain of these characteristics are elusive, difficult to grasp and analyze. The leaders of early eighteenth-century Virginia were, for example, in a particular sense, cultural provincials. They were provincial not in the way of Polish *szlachta* isolated on their estates by poverty and impassable roads, nor in the way of sunken *seigneurs* grown rustic and old-fashioned in lonely Norman chateaux. The Virginians were far from uninformed or unaware of the greater world; they were in fact deeply and continuously involved in the cultural life of the Atlantic community. But they knew themselves to be provincials in the sense that their culture was not self-contained; its sources and superior expressions were to be found elsewhere than in their own land. They must seek it from afar; it must be acquired, and once acquired be maintained according to standards externally imposed, in the creation of which they had not participated. The most cultivated of them read much, purposefully, with a diligence the opposite of that essential requisite of aristocracy, uncontending ease. William Byrd's diary with its daily records of stints of study is a stolid testimonial to the virtues of regularity and effort in maintaining standards of civilization set abroad.<sup>41</sup>

In more evident ways also the Virginia planters were denied an uncontending ease of life. They were not *rentiers*. Tenancy, when it appeared late in the colonial period, was useful to the landowners mainly as a cheap way of improving lands held in reserve for future development. The Virginia aristocrat was an active manager of his estate, drawn continuously into the most intimate contacts with the soil and its cultivation. This circumstance limited his ease, one might even say bound him to the soil, but it also strengthened his identity with the land and its problems and saved him from the temptation to create of his privileges an artificial world of self-indulgence.<sup>42</sup>

But more important in distinguishing the emerging aristocracy of Virginia from other contemporary social and political elites were two very specific circumstances. The first concerns the relationship between the integrity of the family unit and the descent of real property. "The English political family," Sir Lewis Namier writes with particular reference to the eighteenth-century aristocracy,

41. Albert Goodwin, ed., *The European Nobility in the Eighteenth Century* (London, 1953), *passim*; John Clive and Bernard Bailyn, "England's Cultural Provinces: Scotland and America," *Wm. and Mary Q'tly.*, 3rd ser., 9 (1954), 200-13; Louis B. Wright and Marion Tinling, eds., *The Secret Diary of William Byrd of Westover 1709-1712* (Richmond, Va., 1941).

42. Willard F. Bliss, "The Rise of Tenancy in Virginia," *Va. Mag. of Hist. and Biog.*, 58 (1950), 427 ff.; Louis B. Wright, *Cultural Life of the American Colonies, 1607-1763* (New York, 1957), 5-11.

is a compound of "blood," name, and estate, this last . . . being the most important of the three. . . . The name is a weighty symbol, but liable to variations. . . . the estate . . . is, in the long run, the most potent factor in securing continuity through identification. . . . Primogeniture and entails psychically preserve the family in that they tend to fix its position through the successive generations, and thereby favour conscious identification.

The descent of landed estates in eighteenth-century England was controlled by the complicated device known as the strict settlement which provided that the heir at his marriage received the estate as a life tenant, entailing its descent to his unborn eldest son and specifying the limitations of the encumbrances upon the land that might be made in behalf of his daughters and younger sons.<sup>43</sup>

It was the strict settlement, in which in the eighteenth century perhaps half the land of England was bound, that provided continuity over generations for the landed aristocracy. This permanent identification of the family with a specific estate and with the status and offices that pertained to it was achieved at the cost of sacrificing the younger sons. It was a single stem of the family only that retained its superiority; it alone controlled the material basis for political dominance.

This basic condition of aristocratic governance in England was never present in the American colonies, and not for lack of familiarity with legal forms. The economic necessity that had prompted the widespread adoption of the strict settlement in England was absent in the colonies. Land was cheap and easily available, the more so as one rose on the social and political ladder. There was no need to deprive the younger sons or even daughters of landed inheritances in order to keep the original family estate intact. Provision could be made for endowing each of them with plantations, and they in turn could provide similarly for their children. Moreover, to confine the stem family's fortune to a single plot of land, however extensive, was in the Virginia economy to condemn it to swift decline. Since the land was quickly worn out and since it was cheaper to acquire new land than to rejuvenate the worked soil by careful husbandry, geographical mobility, not stability, was the key to prosperity. Finally, since land was only as valuable as the labor available to work it, a great estate was worth passing intact from generation to generation only if it had annexed to it a sufficient population of slaves. Yet this condition imposed severe rigidities in a plantation's economy—for a labor force bound to a

43. Lewis B. Namier, *England in the Age of the American Revolution* (London, 1930), 22-23; H. J. Habakkuk, "Marriage Settlements in the Eighteenth Century," *Royal Hist. Soc., Transactions*, 4th ser., 32 (1950), 15-30.

particular plot was immobilized—besides creating bewildering confusions in law.

The result, evident before the end of the seventeenth century, was a particular relationship between the family and the descent of property. There was in the beginning no intent on the part of the Virginians to alter the traditional forms; the continued vitality of the ancient statutes specifying primogeniture in certain cases was assumed.<sup>44</sup> The first clear indication of a new trend came in the third quarter of the century, when the leading gentry, rapidly accumulating large estates, faced for the first time the problem of the transfer of property. The result was the subdivision of the great holdings and the multiplication of smaller plots while the net amount of land held by the leading families continued to rise.<sup>45</sup>

This trend continued. Primogeniture neither at the end of the seventeenth century nor after prevailed in Virginia. It was never popular even among the most heavily endowed of the tidewater families. The most common form of bequest was a grant to the eldest son of the undivided home plantation and gifts of other tracts outside the home county to the younger sons and daughters. Thus by his will of 1686 Robert Beverley, Sr., bequeathed to his eldest son, Peter, all his land in Gloucester County lying between "Chiescake" and "Hoccadey's" creeks (an unspecified acreage); to Robert, the second son, another portion of the Gloucester lands amounting to 920 acres; to Harry, 1,600 acres in Rappahannock County; to John, 3,000 acres in the same county; to William, two plantations in Middlesex County; to Thomas, 3,000 acres in Rappahannock and New Kent counties; to his wife, three plantations including those "whereon I now live" for use during her lifetime, after which they were to descend to his daughter Catherine, who was also to receive £200 sterling; to his daughter Mary, £150 sterling; to "the childe that my wife goeth with, be it male or female," all the rest of his real property; and the residue of his personal property was "to be divided and disposed in equall part & portion betwix my wife and children." Among the bequests of Ralph Wormeley, Jr., in 1700 was an estate of 1,500 acres to his daughter Judith as well as separate plantations to his two sons.

Entail proved no more popular than primogeniture. Only a small minority of estates, even in the tidewater region, were ever entailed. In fact, despite the extension of developed land in the course of the eighteenth

44. Clarence R. Keim, *Influence of Primogeniture and Entail in the Development of Virginia* (unpublished Ph.D. dissertation, University of Chicago, 1926), Chap. I.

45. E.g., Ames, *Eastern Shore*, 29-32.

century, more tidewater estates were docked of entails than were newly entailed.<sup>46</sup>

Every indication points to continuous and increasing difficulty in reproducing even pale replicas of the strict settlement. In 1705 a law was passed requiring a special act of the Assembly to break an entail; the law stood, but between 1711 and 1776 no fewer than 125 such private acts were passed, and in 1734 estates of under £200 were exempted from the law altogether. The labor problem alone was an insuperable barrier to perpetuating the traditional forms. A statute of 1727, clarifying the confused legislation of earlier years, had attempted to ensure a labor force on entailed land by classifying slaves as real property and permitting them to be bound together with land into bequests. But by 1748 this stipulation had resulted in such bewildering "doubts, variety of opinions, and confusions" that it was repealed. The repeal was disallowed in London, and in the course of a defense of its action the Assembly made vividly clear the utter impracticality of entailment in Virginia's economy. Slaves, the Assembly explained, were essential to the success of a plantation, but "slaves could not be kept on the lands to which they were annexed without manifest prejudice to the tenant in tail. . . . often the tenant was the proprietor of fee simple land much fitter for cultivation than his intailed lands, where he could work his slaves to a much greater advantage." On the other hand, if a plantation owner did send entailed slaves where they might be employed most economically the result was equally disastrous:

the frequent removing and settling them on other lands in other counties and parts of the colony far distant from the county court where the deeds or wills which annexed them were recorded and the intail lands lay; the confusion occasioned by their mixture with fee simple slaves of the same name and sex and belonging to the same owner; the uncertainty of distinguishing one from another after several generations, no register of their genealogy being kept and none of them having surnames, were great mischiefs to purchasers, strangers, and creditors, who were often unavoidably deceived in their purchases and hindered in the recovery of their just debts. It also lessened the credit of the country; it being dangerous

46. Keim, *Primogeniture and Entail*, 44 ff., 113-14. Keim found that only 1 of a sample of 72 wills in Westmoreland (1653-72) contained provisions for entailing; by 1756-61 the proportions had risen to 14 out of 39, but these entails covered only small parts of the total estates. Typical of his other tidewater samples are Middlesex, 1698-1703, 16 out of 65, and 1759-72, 7 out of 48; Henrico, 1677-87, 2 out of 29, and no increase for the later periods. The piedmont samples show even smaller proportions; *ibid.*, 54-62. The Beverley will is printed in *Va. Mag. of Hist. and Biog.*, 3 (1895-96), 47-51; on Wormeley, see *ibid.*, 36 (1928), 101.

for the merchants of Great Britain to trust possessors of many slaves for fear the slaves might be intailed.<sup>47</sup>

A mobile labor force free from legal entanglements and a rapid turnover of lands, not a permanent hereditary estate, were prerequisites of family prosperity. This condition greatly influenced social and political life. Since younger sons and even daughters inherited extensive landed properties, equal often to those of the eldest son, concentration of authority in the stem family was precluded. Third generation collateral descendants of the original immigrant were as important in their own right as the eldest son's eldest son. Great clans like the Carters and the Lees, though they may have acknowledged a central family seat, were scattered throughout the province on estates of equal influence. The four male Carters of the third generation were identified by contemporaries by the names of their separate estates, and, indistinguishable in style of life, they had an equal access to political power.<sup>48</sup>

Since material wealth was the basis of the status which made one eligible for public office, there was a notable diffusion of political influence throughout a broadening group of leading families. No one son was predestined to represent the family interest in politics, but as many as birth and temperament might provide. In the 1750's there were no fewer than seven Lees of the same generation sitting together in the Virginia Assembly; in the Burgesses they spoke for five separate counties. To the eldest, Philip Ludwell Lee, they conceded a certain social superiority that made it natural for him to sit in the Council. But he did not speak alone for the family; by virtue of inheritance he had no unique authority over his brothers and cousins.

The leveling at the top of the social and political hierarchy, creating an evenness of status and influence, was intensified by continuous intermarriage within the group. The unpruned branches of these flourishing family trees, growing freely, met and intertwined until by the Revolution the aristocracy appeared to be one great tangled cousinry.<sup>49</sup>

As political power became increasingly diffused throughout the upper stratum of society, the Council, still at the end of the seventeenth century a repository of unique privileges, lost its effective superiority. Increasingly

47. Hening, ed., *Va. Stat. at L.*, III, 320, IV, 399-400, 222 ff., V, 441-42n (quoted). In 1765 the legal rigors of entailment were permanently relaxed by a law permitting the leasing of entailed land for up to three lives, a move made necessary, the Assembly said, because "many large tracts of entailed lands remain uncultivated, the owners not having slaves to work them. . . ." *Ibid.*, VIII, 183. For a striking example of the difficulties of maintaining entailed lands, see *ibid.*, VI, 297-99; Keim, *Primogeniture and Entail*, 108.

48. Louis Morton, *Robert Carter of Nomini Hall* (Williamsburg, 1941), 11.

49. Burton J. Hendrick, *The Lees of Virginia* (Boston, 1935), 97.

through the successive decades its authority had to be exerted through alignments with the Burgesses—alignments made easier as well as more necessary by the criss-crossing network of kinship that united the two houses. Increasingly the Council's distinctions became social and ceremonial.<sup>50</sup>

The contours of Virginia's political hierarchy were also affected by a second main conditioning element, besides the manner of descent of family property. Not only was the structure unusually level and broad at the top, but it was incomplete in itself. Its apex, the ultimate source of legal decision and control, lay in the quite different society of England, amid the distant embroilments of London, the court, and Parliament. The levers of control in that realm were for the most part hidden from the planters; yet the powers that ruled this remote region could impose an arbitrary authority directly into the midst of Virginia's affairs.

One consequence was the introduction of instabilities in the tenure and transfer of the highest offices. Tenure could be arbitrarily interrupted, and the transfer to kin of such positions at death or resignation—uncertain in any case because of the diffusion of family authority—could be quite difficult or even impossible. Thus William Byrd II returned from England at the death of his father in 1704 to take over the family properties, but though he was the sole heir he did not automatically or completely succeed to the elder Byrd's provincial offices. He did, indeed, become auditor of Virginia after his father, but only because he had carefully arranged for the succession while still in London; his father's Council seat went to someone else, and it took three years of patient maneuvering through his main London contact, Micajah Perry, to secure another; he never did take over the receivership. Even such a power as "King" Carter, the reputed owner at his death of 300,000 acres and 1,000 slaves, was rebuffed by the resident deputy governor and had to deploy forces in England in order to transfer a Virginia naval office post from one of his sons to another. There was family continuity in public office, but at the highest level it was uncertain, the result of place-hunting rather than of the absolute prerogative of birth.<sup>51</sup>

Instability resulted not only from the difficulty of securing and transferring high appointive positions but also and more immediately from the presence in Virginia of total strangers to the scene, particularly governors and their deputies, armed with extensive jurisdiction and powers of enforcement. The dangers of this element in public life became clear only after Berkeley's return to England in 1677, for after thirty-five years of

50. Percy S. Flippin, *The Royal Government in Virginia, 1624-1775* (New York, 1919), 166-67, 169; Herbert L. Osgood, *The American Colonies in the Eighteenth Century* (4 vols.; New York, 1924-25), IV, 231-32.

51. John S. Bassett, ed., *The Writings of "Colonel William Byrd of Westover in Virginia Esqr"* (New York, 1901), xlviii-ix; Morton, *Carter*, 28n.

residence in the colony Sir William had become a leader in the land independent of his royal authority. But Howard, Andros, and Nicholson were governors with full legal powers but with at best only slight connections with local society. In them, social leadership and political leadership had ceased to be identical.

In the generation that followed Berkeley's departure, this separation between the two spheres created the bitterest of political controversies. Firmly entrenched behind their control of the colony's government, the leading families battled with every weapon available to reduce the power of the executives and thus to eliminate what appeared to be an external and arbitrary authority. Repeated complaints by the governors of the intractable opposition of a league of local oligarchs marked the Virginians' success. Efforts by the executives to discipline the indigenous leaders could only be mildly successful. Patronage was a useful weapon, but its effectiveness diminished steadily, ground down between a resistant Assembly and an office-hungry bureaucracy in England. The possibility of exploiting divisions among the resident powers also declined as kinship lines bound the leading families closer together and as group interests became clearer with the passage of time. No faction built around the gubernatorial power could survive independently; ultimately its adherents would fall away and it would weaken. It was a clear logic of the situation that led the same individuals who had promoted Nicholson as a replacement for Andros to work against him once he assumed office.<sup>52</sup>

Stability could be reached only by the complete identification of external and internal authority through permanent commitment by the appointees to local interests. Commissary Blair's extraordinary success in Virginia politics was based not only on his excellent connections in England but also on his marriage into the Harrison family, which gave him the support of an influential kinship faction. There was more than hurt pride and thwarted affection behind Nicholson's reported insane rage at being spurned by the highly marriageable Lucy Burwell; and later the astute Spotswood, for all his success in imposing official policy, fully quieted the controversies of his administration only by succumbing completely and joining as a resident Virginia landowner the powers aligned against him.<sup>53</sup>

52. For the classic outcry against "the party of Malecontents," see Spotswood's letter to the Board of Trade, March 25, 1719, in R. A. Brock, ed., *The Official Letters of Alexander Spotswood* (Richmond, Va., 1882-85), II, 308 ff.; cf. 285. On patronage, see Flippin, *Royal Government*, 208-214; Leonard W. Labaree, *Royal Government in America* (New Haven, Conn., 1930), 102; Worthington C. Ford, "A Sketch of Sir Francis Nicholson," *Mag. of Amer. Hist.*, 29 (1893), 508-12.

53. Peter Laslett, "John Locke . . .," *Wm. and Mary Qly.*, 3rd ser., 14 (1957),

But there was more involved than instability and conflict in the discontinuity between social and political organization at the topmost level. The state itself had changed its meaning. To a Virginia planter of the early eighteenth century the highest public authority was no longer merely one expression of a general social authority. It had become something abstract, external to his life and society, an ultimate power whose purposes were obscure, whose direction could neither be consistently influenced nor accurately plotted, and whose human embodiments were alien and antagonistic.

The native gentry of the early eighteenth century had neither the need nor the ability to fashion a new political theory to comprehend their experience, but their successors would find in the writings of John Locke on state and society not merely a reasonable theoretical position but a statement of self-evident fact.

I have spoken exclusively of Virginia, but though the histories of each of the colonies in the seventeenth century are different, they exhibit common characteristics. These features one might least have expected to find present in Virginia, and their presence there is, consequently, most worth indicating.

In all of the colonies the original transference of an ordered European society was succeeded by the rise to authority of resident settlers whose influence was rooted in their ability to deal with the problems of life in wilderness settlements. These individuals attempted to stabilize their positions, but in each case they were challenged by others arriving after the initial settlements, seeking to exploit certain advantages of position, wealth, or influence. These newcomers, securing after the Restoration governmental appointments in the colonies and drawn together by personal ties, especially those of kinship and patronage, came to constitute colonial officialdom. This group introduced a new principle of social organization; it also gave rise to new instabilities in a society in which the traditional forms of authority were already being subjected to severe pressures. By the eighth decade of the seventeenth century the social basis of public life had become uncertain and insecure, its stability delicate and sensitive to disturbance. Indian warfare, personal quarrels, and particularly the temporary confusion in external control caused by the Glorious Revolution became the occasions for violent challenges to constituted authority.

398; Daniel E. Motley, *Life of Commissary James Blair . . .* (Baltimore, 1901), 10, 43 ff.; William S. Perry, ed., *Historical Collections Relating to the . . . Church* ([Hartford], 1870-78), I, 69, 72-73, 88, 90, 102, 135; Leonidas Dodson, *Alexander Spotswood* (Philadelphia, 1932), 251 ff.

By the end of the century a degree of harmony had been achieved, but the divergence between political and social leadership at the topmost level created an area of permanent conflict. The political and social structures that emerged were by European standards strangely shaped. Everywhere as the bonds of empire drew tighter the meaning of the state was changing. Herein lay the origins of a new political system.