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Keeping the Peace between Indians and English colonists: The Seventeenth Century
Court System on Virginia's Eastern Shore

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Introduction

Thomas Savage arrived in the New World in 1608 under the guidance of Christopher Newport. Newport immediately traded Savage to Powhatan, leader of the Algonquin Confederacy.¹ He spent his teenage years learning the language and culture of the Algonquin people. These skills later served him well as a courier and interpreter between the colonists and Indians of the Chesapeake Bay region. Savage left the Algonquin people in 1610 when relations between colonists and Indians worsened.² The precarious connection ended when an Indian attack on colonists made tensions too high to continue his immersive living experience. Although Savage stopped living with the Algonquin people, he continued to serve as an interpreter for many years to come.

Savage began his journey in the New World in Jamestown, but he would eventually decide to settle on the Eastern Shore. He continued to influence this region of the Chesapeake Bay for the rest of his life. The connections Savage made in those early years served the fledgling colony well in the future. The Massacre of 1622, an event that decimated Jamestown's population, was much less severe on the Eastern Shore because of information given to Savage by Debedevan, an Indian ally.³ The effects of the attack in 1622 were much worse on the Western Shore than by its Eastern Shore counterpart. Savage utilized the more peaceful part of the Chesapeake Bay as an advantage for the colony. He steered trade away from Indians on the Western Shore and towards Indians on

¹ Martha Bennett Stiles, "Hostage to the Indians," *Virginia Cavalcade* 12, no. 1 (1962): 5.

² Stiles, "Hostage to the Indians," 6.

³ Stiles, "Hostage to the Indians," 10.

the Eastern Shore to take advantage of this positive and more peaceful relationship.⁴

Savage's connection to the Indian people also helped in times of food crisis. He was able to gain assistance from Indians to help colonists survive food shortages.⁵ His years spent with the Algonquin people allowed the colony to survive in harsh circumstances.

Thomas Savage, and by association the colony of Virginia, gained so much from its connection to the Indian population. Savage had complicated thoughts and beliefs about how colonists treated their Indian counterparts. His ongoing effort to make the situation right accumulated in the form of a land grant. Savage donated 1500 acres of his own land on the Eastern Shore to create an Indian reservation in 1640.⁶ This territory became the Gangaskin Reservation. Ironically, his heirs were some of the strongest proponents for depleting and destroying the reservation in years to come.

The life of Thomas Savage exemplifies the complex and dynamic relationship between Indians and colonists of the Chesapeake Bay region. He was a major contributor in creating the atmosphere in which the events of the latter half of the seventeenth century occurred. When Savage chose to settle on the Eastern Shore of the Chesapeake Bay, he would have had to purchase land from the Indian leader of the area. The court referred to these men, and occasionally women, as kings or emperors of a given region. The first section of this thesis is about how colonists obtained land through the court systems in collaboration with local leaders.

⁴ Helen C. Rountree and Thomas E. Davidson, *Eastern Shore Indians of Virginia and Maryland* (Charlottesville: University of Virginia Press, 1997), 51.

⁵ Stiles, "Hostage to the Indians," 8.

⁶ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 51.

The trade, which Savage encouraged between the colony and the Indians of the Eastern Shore, created a partnership of sorts that would bring both good and bad. It led to Indians and colonists being entangled in all arenas of the economy. The employment of Indians by colonists remained a complicated and heavily monitored practice that played an integral role within everyday life of the Eastern Shore. The different social roles further complicated the relationship between colonists and Indians. While colonists employed some Indians, they indentured or enslaved others. The local Indian leaders decided these monumental life decisions. The responsibilities and powers of colonists to indenture and enslave Indians caused both parties to bring issues before the court.

Savage may not have realized the massive entanglement he created between colonists and Indians, but it was a substantial web of interconnectedness through trade and business that brought these groups into regular interaction. The tithables, or tax records, show how the colony financially counted Indians. Just as Savage used his estate to leave land to the Gangaskin Indians, other individuals took similar actions. Last will and testaments revealed another variation of transactions between Indians and settlers. Some owners gave freedom, and others simply transferred ownership. It was a chance for colonial owners to help or hinder the Indians in their lives.

The Indian reservation Savage created would continue to fight for its survival in the court systems for more than a century after its creation. It would be Savage's own heirs who argued Indians stole the land and that it belonged to the Savage family.⁷ The county court handled all disputes, only sending matters of the highest importance to Jamestown. The legal system of the Eastern Shore frequently handled thievery and minor

⁷ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 54.

disputes. Savage's greatest accomplishment of mitigating the Massacre of 1622 shows how fear of Indian attack was ever present in colonial Virginia. Many court cases addressed rumors or theories of future attacks on any part of colonial Virginia.

The county court records for Accomack and Northampton counties explain the problems faced by Eastern Shore settlers. This thesis explores the county records during the latter half of the seventeenth century by examining all cases dealing with Indians of the Eastern Shore within this period. Close inspection of the relationship between these two groups on the Eastern Shore reveals interesting differences between the two sides of the Chesapeake Bay. A more peaceful relationship existed on the Eastern Shore because of smaller population size and density of settlement. The court records from the area prove this more peaceful relationship in a multitude of facets of life.

The Virginia mainland and the Eastern Shore had different experiences between Indians and English colonists in the opposing geographic regions. Relations between Native Americans and English colonists occupying Virginia during the second half of the seventeenth century were more positive on the Eastern Shore than on the Western Shore. Differences in the governmental structures, the physical geography, and the social structures of the regions explains these discrepancies. Specifically, the population density and size of both English settlements and Indian chiefdoms, along with the geographic obstacle of the Chesapeake Bay region, account for the more volatile relationship experienced on the Virginia mainland.

Western Shore Experience

On March 22, 1622, the mainland of Virginia suffered a surprise attack orchestrated by Opechananough, leader of the Powhatan of the Virginia mainland. The

attack came from inside the homes of the colonists. The Indian attackers seized English weapons, along with utilizing concealed weaponry.⁸ This attack was by no means the first skirmish between Virginia mainland colonists and Indians. The Eastern Shore Indians provided Jamestown with a warning concerning the imminent attack.⁹

The Indians of the Eastern and Western Shores had different norms when it came to the practice of war. Indian communities on the Virginia mainland faced much more inter-Indian conflict than the Eastern Shore. This dynamic made Virginia mainland Indians place much more emphasis on being a warrior and fighter. The Eastern Shore, while still experiencing some fighting, was much less likely to engage in conflict. This lack of conflict also played a role in the importance of being a great hunter and provider. Rountree and Davidson establish that "...adult men there [on the Eastern Shore] did not have to perform as much in hunting and war as men did on the western shore, so there was less need for allotting time to keep up a 'male mystique'."¹⁰ The Indians of the Virginia mainland and the Eastern Shore had different expectations for their men. Eastern Shore Indians did not have such zeal for warriors because they did not go to war often. Rountree and Davidson examine how "The southern Eastern Shore was also more isolated from other people, including enemies wishing to attack them; the men of that part of the-peninsula did not need to show continually that they were ready for war."¹¹

⁸ Alden T. Vaughan, "'Expulsion of the Savages': English Policy and the Virginia Massacre of 1622," *The William and Mary Quarterly* 35, no. 1 (Jan. 1978): 76.

⁹ William S. Powell, "Aftermath of the Massacre: The First Indian War, 1622, 1632" *The Virginia Magazine of History and Biography* 66, no. 1 (Jan. 1958): 44.

¹⁰ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 41.

¹¹ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 41.

This was a difference in culture, which influenced the relationship between English colonists on opposing shores of the Chesapeake Bay.

The Indians of the Eastern Shore were not simply a people that were conquered, but different political entities acknowledged by colonial powers. The Eastern Shore experienced more peace than the Virginia mainland portion of the Chesapeake Bay region because of the spread-out nature of the population. The physical geography and social structure are intertwined in the relations of the Chesapeake Bay region. The Massacre of 1622 exemplified the different relations between Indians and English colonists on the opposite sides of the Chesapeake Bay.¹² At such an early stage of colonial development, this attack had an impact on a significant portion of the population. Alden T. Vaughan concludes the Massacre of 166 forced the loss of over 300 members. It contributed to a famine and epidemic, which killed another 600. The attack helped bring about the end of the Virginia Company of London and caused a counterattack in which Indians and settlers perished in considerable numbers.¹³ This attack pushed in a pivotal change in attitude towards the treatment and policies pertaining to Indians. Vaughan explains this change in attitude by citing Governor Francis Wyatt, ““Our firste worke is expulsion of the Savages...,’ he [Wyatt] wrote soon after the massacre, ‘for it is infinitely better to have no heathen among us, who at best were but as thornes in our sides, then to be at peace and league with them.’”¹⁴ Most important is the distinction between Virginia mainland and the Eastern Shore. The Massacre of 1622 was one of many disputes on the

¹² The Massacre of 1622 was not a singular event. Similar events occurred again in 1644. Peace did exist at certain times, but events such as the Massacre of 1622 broke up these time of peace.

¹³ Vaughan, “English Policy and the Virginia Massacre of 1622”, 57.

¹⁴ Vaughan, “English Policy and the Virginia Massacre of 1622”, 57.

Western Shore. While there were some skirmishes on the Eastern Shore, they were much more prevalent on the Virginia Mainland.

Background Information

The English crown created the colony of Virginia at the beginning of the seventeenth century; its size would expand greatly in its fledgling years. The Virginia Company of London, a joint stock company, financed the creation of the colony.¹⁵ These financiers believed they would make a great profit on the exaggerated riches in the New World. The King of England, who required a small portion of any profits to go towards the crown, granted them permission to settle in the New World. The Crown wanted to encourage travel. The joint stock company allowed the crown to experience exploration without risk and a high chance of personal reward.¹⁶

Disease and famine marked the early years of the Virginia colony. Only 35 colonists survived the first winter in Virginia. Despite these challenges, the colonial population continued to grow. A new group of colonists would reinforce the surviving colonists the following spring in 1608.¹⁷ The location of Jamestown was in part responsible for the elevated level of colonial sickness. The city was situated along the swampy areas of the Chesapeake Bay.¹⁸ Its location, combined with the climate of the region, made sickness an inevitable problem for the colonists of the region. Sickness was not the only challenge facing colonial settlements.

¹⁵ Richard Middleton, *Colonial America: A History, 1607-1760* (Cambridge: Blackwell, 1992), 12.

¹⁶ Middleton, *Colonial America*, 15.

¹⁷ Middleton, *Colonial America*, 25.

¹⁸ Middleton, *Colonial America*, 23-4.

The colony of Virginia survived because of its adaptability to laws and regulations. After discovering the vastly different circumstances of the New World, colonial leaders realized they could not simply follow the laws relevant to England. New Virginia laws were not allowed to contradict the general spirit of English laws, but they could address the unique needs of the colony.¹⁹ One use of this new power concerned the treatment of Indians of the Chesapeake Bay region. Local and colonial governments made laws that they felt best protected the colony. These laws differed county to county, and some were for the entire colony. Jamestown was the focal point of the colony, so Eastern Shore leaders were left to make many of their own policies with Indians of the area. This split in power was a factor in the different relationships that existed on the opposing sides of the Chesapeake Bay.

When the English arrived in the Chesapeake Bay, they moved into an already populated area. A complicated relationship existed between Indians and English colonists, one that originated in Jamestown and would eventually be adapted to fit the needs of the Eastern Shore. The political structure of Indian tribes in the Chesapeake Bay involved chiefdoms. These chiefdoms were heavily present on the Western Shore and seen much less on the Eastern Shore.²⁰ Chiefdoms were a way Indians grouped together under a tribal affiliation. These tribes could span large distances and have local leaders, but they all fell under the rule of the chiefdom. Population density for both Indians and colonists was higher in the Jamestown area, meaning that power structures were much more important.

¹⁹ Middleton, *Colonial America*, 27.

²⁰ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 27.

A chiefdom could even span the Chesapeake Bay and exist on the Eastern and Western Shores. Englishmen and Indians alike could not cross the Chesapeake Bay in sufficient numbers to suppress Eastern Shore inhabitants. This allowed for sectors of an Indian chiefdom to have some autonomy because of their isolated location. While the general tribal affiliation and language was the same, everyday life and culture differed because of the isolated circumstances of the Eastern Shore.²¹ The general life of people in Jamestown differed from their Eastern Shore counterparts despite the unity of being a member of the Virginia colony. The geography of the region created an isolation that benefited the Eastern Shore of Virginia.

Historiography

The Chesapeake Bay region has limited research in the historical field. The early years of settlement in the region are often understudied and misunderstood. When researching a non-European group, the research becomes almost nonexistent. Richard Middleton, in *Colonial America: A History, 1607-1760*, provides historical information about the colony of Virginia. Middleton explains founding of the colony, and how it was brought into existence with the permission of the English crown in the beginning of the seventeenth century.²²

Helen C. Rountree and Thomas E. Davidson, in *Eastern Shore Indians of Virginia and Maryland*, offer vital background information necessary to study the indigenous landscapes of the Chesapeake Bay region. Rountree and Davidson focus on indigenous groups of the Chesapeake Bay region from earliest archaeological knowledge through the

²¹ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 27.

²² Middleton, *Colonial America*, 14.

eighteenth century. Rountree and Davidson established the very origins of indigenous people on the Eastern Shore. Tribes on both sides of the Chesapeake Bay were linked to each other from an early period. These groups shared cultures that still existed during colonization. The influence of nature and its cyclical patterns was evident in everyday life of the indigenous tribes on both sides of the Chesapeake Bay.²³ The separate groups displayed similar land usage. Whether they existed on either coast, Indian communities were known for utilizing nature's resources. The ability to exist in the harsh environment of the Chesapeake Bay made the Indians of the area a necessary resource for the survival of the colony.

The specific focus of Rountree and Davidson's research on the indigenous population allows for a better understanding of the cultures and histories of the first settlers of the region. Rountree and Davidson address the governmental operations of the major tribes in the Chesapeake Bay. They also explore the lifestyles of the different tribes. They provide the in-depth focus on the indigenous populations of the region necessary to study the history of the region.

James R. Perry, in *Formation of a Society on Virginia's Eastern Shore*, explores colonial relationships of the Chesapeake region. Perry explores how kinship was the basis of society in the region. His reasoning is based on the reality of rapid death in the Chesapeake Bay area. Colonists remarried to survive, creating intricate webs of kinship in the entire community. While Perry provides a deep understanding of how colonists interacted to achieve survival in the region, he ignores the role indigenous populations' play in shaping Eastern Shore life.

²³ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 20.

Gary B. Nash, in *Red, White & Black, The Peoples of Early North America*, explores how three races of people influenced the development of the United States. He divides the people of North America into Indian, White, and African American. Nash reexamines the history of North America through the lenses of all the peoples, not just through a European lens. The history of the Chesapeake Bay region can only be examined through the interconnected histories of the many groups. Nash's approach to analyzing the past is the best way to gain a full picture of the events that transpired. Understudied groups of people played a pivotal role in building the United States. Nash's approach is used to examine the much smaller geographic area of the Chesapeake Bay.²⁴

J. Douglas Deal, in *Race and Class in Colonial Virginia: Indians, Englishmen, and African on the Eastern Shore*, describes and explains the experiences of these three groups in colonial Virginia. He examined many of the court case records, extracting the societal norms and idiosyncrasies, which highlight the interesting relationship between differing groups of the Chesapeake Bay. Deal begins his research at the beginning of the seventeenth century and continues until the intermingling of free blacks and Indians at the end of the seventeenth century. Deal does an excellent job in explaining the experiences of each individual group within the Virginia colony. He relies on ample primary evidence to support his claims within the book.²⁵

²⁴ I am only examining the relationship between Indians and colonists because of time and research constraints. While still not enough, more research has been done about the black Eastern Shore population than that of the Indian population.

²⁵ T. H. Breen and Stephen Innes wrote the pivotal book, *Myne Owne Ground*, which spoke specifically about race relations during Virginia's earliest years. T. H. Breen and Stephen Innes, *Myne Owne Ground: Race and Freedom on Virginia's Eastern Shore, 1640-1676* (New York: Oxford University Press, 2005).

The county court records of the Chesapeake Bay region show the connection between different indigenous communities and the colonists that came to cohabit the Chesapeake Bay region. This relationship was different between Native Americans and colonists on both the Eastern and Western Shores of Virginia. The Accomack and Northampton County, Virginia court cases shed even more light on the range of court cases concerning Indians. The legal systems were responsible for handling disputes between all those living in the counties, these included Indians and colonists alike. The records show the truly intricate and complicated relationship that existed between colonists and Indians of the Chesapeake Bay.

Acquisition of Land

When settlers arrived on the Eastern Shore of the Chesapeake Bay, it was necessary to purchase land from the leading tribes of the region. The court records refer to these men and women as Emperors, Kings, and great men. Although the power of monarchs created the colonies, it was still necessary to purchase land from individual leaders. This was a local effort to keep the peace between colonists and Indians on the Eastern Shore. The purchasing of land from Indian leaders was such a common occurrence the local colonial governments regulated the procedures. J. Douglas Deal, in *Race and Class in Colonial Virginia*, states that Indians were only able to sell tracts of land in open court.²⁶ This was an effort to stop the individual sales of land between colonists and Indians outside of government monitoring.

²⁶ J. Douglas Deal, *Race and Class in Colonial Virginia: Indians, Englishmen, and Africans on the Eastern Shore During the Seventeenth Century* (New York: Garland Publishing Inc., 1993), 18.

While settlement and land purchases began as early as the 1620s, it was still occurring in the mid-seventeenth century. Helen C. Rountree and Thomas E. Davidson, in *Eastern Shore Indians of Virginia and Maryland*, found colonists pushed Indians out of their land through peaceful land purchases over the course of decades.²⁷ They further argue there is no direct evidence to show that Indians disputed the settlement. Fear and distrust on the part of the colonists influenced the treatment of Indians. While peace was the norm, settlers always held a level of suspicion based on the preconceived notions about all Indians.

Colonists continued to push Indians to the fringes of the Eastern Shore based on an unfounded fear of Indian attack. Part of this fear stemmed from the scattered nature of colonial settlements.²⁸ The colonial government urged settlers to form towns for better protection and security but people remained spread out over the Eastern Shore. The distance between properties made colonists fearful of Indian attacks. Indians themselves were town dwellers accustomed to a cooperative way of living.²⁹ The cultural differences between colonists and Indians bred a wariness that would harm the relationship between these two groups of people.

The purchasing of land underwent a significant change in 1654. This law required the consent of an Indian village to sell tracts of land.³⁰ The consent of an entire village usually meant the great men, or high-level advisors, had to support the land purchase in open court. On August 23, 1662 Hekecks, referred to as Indian King, sold land to George

²⁷ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 51.

²⁸ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 60.

²⁹ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 60.

³⁰ Deal, *Race and Class in Colonial Virginia*, 18.

Parker.³¹ The important portion of the case is the statement by Hekecks promising to bring two great men to the next court session to confirm the sale. About a month later, on September 25, 1662 Washeto, a great man of Hekecks, acknowledged the land sale.³² Requiring the consent of more than just the primary leader shows how the colonists wanted to keep peace with the Indian population as a whole, not simply with the political leaders. It was important to make sure constituents supported a leader's decision.

The court records have a myriad of land purchases occurring in the 1660s, when most land purchases occurred. On July 31, 1660, Toptiaton, referred to as King of Onancock, sold 600 acres to John Parker with the promise of peace.³³ Most records indicated sales were made in an effort to keep peace on the Eastern Shore. The court recorders took the time to write down the peace offerings and good faith that was emphasized in purchases.

The first land purchase studied occurred on October 10, 1650. Ochawomre, Great King of the Eastern Shore, sold land to Edmund Scarborough.³⁴ The fact that Scarborough had to buy land from Eastern Shore Indians exemplified the balance of power that existed on the Eastern Shore. Deal and all Eastern Shore scholars are adamant that Scarborough was heavily against Eastern Shore Indians.³⁵ He would spend the rest of his life trying to push out and strip Indians of their land and rights. Scarborough even led a group of local planters

³¹ Howard Mackey and Candy McMahan Perry, *Northampton County Record Book, Deeds, Wills & c*, vol. 7: 1657-1666 (Rockport, Maine: Picton Press, 1999), 184-85.

³² Mackey and Perry, *Northampton County Record Book*, 1657-1666, 184-85.

³³ Mackey and Perry, *Northampton County Record Book*, 1657-1666, 105.

³⁴ Frank V. Walczyk, *Northampton County Virginia, Orders, Deeds & Wills, Book 4: 1651-1654* (Coram, New York: Peter's Row, 1998), 27.

³⁵ Deal, *Race and Class in Colonial Virginia*, 16.

who felt wronged by Indians of the area in an unfounded raid of the Pocomoke Indians.³⁶ He had no governmental permission to attack the Indians of the area yet he took matters into his own hands. This was a common occurrence for Scarborough for the next thirty years and until his death. If Edmund Scarborough, one of the biggest antagonists towards Indians, was forced to purchase his land from local leaders, so too did the rest of the more peaceful colonists.

The first step to creating independent wealth on the Eastern Shore in the New World was to purchase land. No matter if a settler hated, tolerated, or appreciated Indians of the region, the process was the same. Indians had legal rights within a colonial system that proved the power and legitimacy they possessed within the Eastern Shore government. Rountree and Davidson state, "Indians taking Englishmen to court later became a standard feature of life on the Virginia Eastern Shore."³⁷ The colonial government took disputes over land sales by either Indians or colonists seriously. Peace was always the ultimate objective.

Last Will and Testament

Last wills and testaments served important purposes in the colonial world. A will redistributed an individual's wealth to his or her remaining heirs. It often allowed the deceased to provide care and security to their widows and children. Colonists did not exclusively use last will and testament. Indian leaders could create last wills and testaments to secure reign over an area and convey legitimacy from the colonial government. This was a strategy to ensure the transfer of power remained within a certain

³⁶ Deal, *Race and Class in Colonial Virginia*, 19.

³⁷ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 56.

family. On June 26, 1656, Wackawpt Indian Emperor appeared before the Northampton county court to inform them of his desired proceedings upon his death. His last will and testament was an oral document, which the court transcribed for record keeping.

Wackawpt wanted his daughter to rule, as well as receive two guns and his house. He instructed two men to lead until she was able to do so. He then placed a contingency of his nephew leading in the event of her death. He finished with selling land to Englishmen in the hope of future peace.³⁸ Wackawpt used the colonial court system to make sure his heirs continue to rule over his people. He even took the time to plan for the death of his desired successor within his family. Almost a year later, the case was mentioned again to solidify the arrangement. The court record described how men from the community come before the court to confirm the last will and testament of Wackawpt.³⁹ The last will and testament combined with the witnesses coming before the court secured the desired future of the Indian Emperor Wackawpt's community.

While Wackawpt was able to use the colonial court system to his advantage, this was not always the case for other Indians. Johnson, King of the Eastern Shore, sought assistance from the governor because a few of the towns under his reign were not paying tribute to Johnson or the governor of Virginia. The governor demanded all accused parties come before the court.⁴⁰ Two days after this case the same notice of the governor appeared in the county court records except it now included a statement that the court will determine the rightful king of the Eastern Shore.⁴¹ The colonial government asserted

³⁸ Mackey and Perry, *Northampton County Record Book*, 1657-1666, 10.

³⁹ Mackey and Perry, *Northampton County Record Book*, 1657-1666, 11.

⁴⁰ JoAnn Riley McKey, *Accomack County Virginia Court Order Abstracts 1671-1673, Volume 3* (Bowie, Maryland: Heritage Books, Inc., 1996), 96.

⁴¹ McKey, *Accomack County Virginia Court Order Abstracts 1671-1673*, 102.

control over an Indian matter because their leader, Johnson, asked for assistance from the local government. Johnson believed he was going to receive governmental support to gain tribute from the Indians of his area, but instead the colonial government called his right to rule into question, and this right was then out of his control. Johnson acknowledged the power of the colonial government to settle Indian conflict, therefore opening the door to allow the colonial government to decide other important matters, such as his right to lead.

Only a few months after this event, the Governor of Virginia announced Mary, the daughter of Tabbity Abby, was the lawful queen of all the Indians on the Eastern Shore.⁴² Johnson was removed from power after reaching out for assistance from the Governor of Virginia. This court case illuminates the complex nature between political leaders of the Eastern Shore. The Governor of Virginia was able to put a political leader into power that he felt was better for colonists, and more likely to cooperate with English actions. The colonial court system could either help or hinder Indian leaders.

The most common form of a last will and testament is through Englishmen leaving property and possessions to family members in a written document. Behoni Ward's last will and testament stated his Indian boy Robin be left to his wife, and upon her death left to his daughter.⁴³ Behoni Ward considered Robin to be his property and was therefore able to pass him along to another family member upon his death. Indians left as slaves to other owners within the family occurred often in the records. Other

⁴² JoAnn Riley McKey, *Accomack County Virginia Court Order Abstracts 1673-1676, Volume 4* (Bowie, Maryland: Heritage Books, Inc., 1996), 13.

⁴³ Frank V. Walczyk, *Northampton County Virginia Orders & Wills, 1689-1698, Volumes 1-2, vol. 1* (Coram, New York: Picton Press, 2000), 25.

individuals would pass along slaves to family members, but put certain restrictions on the length of servitude.

The last will and testament was where an owner could grant some form of freedom to owned individuals. On February 11, 1695, John Custis left his wife his owned African American servants and slaves, one of which was Indian Jone. However, he made a requirement that Jone be released after four more years of service.⁴⁴ John Custis chose to provide his widow with slaves, but specified the release of Jone after a given amount of time. Last will and testaments offered an opportunity for owners to release people from slavery and servitude.

Some owners chose to give pieces of property to Indians involved in their lives. The records indicate the colonist sometime owned these Indians and other times simply knew the colonist in the will. On May 12, 1697, Judeth Patrick left three and a half yards of blue linen for Tom the Indian and her remaining clothing to Indian slave Mall. She also gave one black heifer and a gun to Indian Tom, a slave.⁴⁵ Judeth Patrick felt a connection to the Indians she employed and owned so she gifted them possessions upon her death. It is unclear what happened to the slaves, whether they were released or passed down to another family member.

The language inherent in last will and testaments concerning Indians shows the complex relationships that existed between the two groups. Some Indians were treated purely as property while others were treated as likable employees. The social status of

⁴⁴ Frank V. Walczyk, *Northampton County Virginia Orders & Wills, 1689-1698, Volumes 1-2, vol. 1*, 61.

⁴⁵ Frank V. Walczyk, *Northampton County Virginia Orders & Wills, 1689-1698, Volumes 1-2, vol. 1*, 112-3.

Indians was present in the court records, although there was no one social class. Just as some colonists rose to possess substantial power and respect, so too did their Indian counterparts.

Business Relations

The government regulated business relations between colonists and Indians on the Eastern Shore. The nature of the Indians' work cycle allowed for a working relationship to exist. Indians believed farm work was for women because it provided leisure time while working. This differed from the colonial perspective on farming, which was the constant need to work. They believed the more farming accomplished the more an individual would move up in the world.⁴⁶ Indian men used the cycle of resources provided by the Chesapeake Bay to live well.⁴⁷ This meant that the men went through times of intense work when the environment allowed for it. Hunting and fishing accounted for their time during the busier seasons. They would then transition into a lull of limited work in which they could complete jobs for the English colonists.

To employ Indians, colonists were required to obtain a certificate of approval from the county court. Distrust still existed between the two groups, often causing matters to appear before the court. On February 18, 1667, the court accused John Anderson of entertaining an Indian. The court fined Anderson 5000 pounds of tobacco or 1 year in prison. John Anderson provided himself as security for the appearance of Jack, an Indian. Jack had carried a gun belonging to John Williams. Jack failed to appear in

⁴⁶ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 62-3.

⁴⁷ Deal, *Race and Class in Colonial Virginia*, 10.

court.⁴⁸ A later deposition by Miles Gray revealed Williams employed Jack, and Anderson was simply allowing Jack in his house.⁴⁹ The relationship between employee and employer was one closely monitored by the county government. While the court allowed employment, county officials did not want people interacting on a personal level.

Obtaining a permit to employ Indians was sometimes difficult. John Anderson decided to try to invoke colonial rivalry to get the license he desired. On August 16, 1667, the court found Anderson guilty of saying he would go to Maryland to get a license to employ Indians if Virginia would not grant him access. Anderson was ordered one hour on the pillory with “FOR MUTINOUS WORDS” on his back as punishment for this traitorous act.⁵⁰ While Virginia feared Indians, they also had apprehension for the Maryland colony. If a Virginia colonist asked Maryland for an official government document, it would give Maryland a sense of authority and right to govern. This act was something Virginia disagreed with and worked to destroy. The government of Virginia wanted to monitor relations between Indians and the people of the colony.

The level of interaction between colonists and Indians shifted slightly in the newer county of Accomack. On May 28, 1667, Scarborough made “dealing with or entertaining” Indians allowed in Accomack county so long as the settler had a license. The court case also set monetary values for payment of common services completed by Indians.⁵¹ Scarborough hoped to increase business with Indians in the area. These business transactions allowed the Eastern Shore to function in its isolated environment.

⁴⁸ JoAnn Riley McKey, *Accomack County Virginia Court Order Abstracts 1666-1670, Volume 2* (Westminster, Maryland: Heritage Books, Inc., 1996), 22.

⁴⁹ McKey, *Accomack County Virginia Court Order Abstracts 1666-1670*, 28-9.

⁵⁰ McKey, *Accomack County Virginia Court Order Abstracts 1666-1670*, 54.

⁵¹ McKey, *Accomack County Virginia Court Order Abstracts 1666-1670*, 42.

In the early years of the Eastern Shore, trading policies were very similar to the Western Shore. In 1631, the government forbade “parley” with Indians except the Mattawombes, previously called Accomac.⁵² Trade would continue to grow and include more Indian groups as the decades continued. By the middle of the seventeenth century, the colonial government was more concerned with Indians trading between other imperial nations. In March 1650, the court received a complaint against Dutchman for trading with Indians. The court banned trading between Indians and Dutchmen, placing a 500 pound fine on those who traded with the Dutch.⁵³ The English were most concerned with keeping other imperial powers outside of the Chesapeake Bay.

An English settler could lose the privilege of employing Indians if they threatened the precarious balance of peace existing between the two groups. On June 16, 1670, Samuella Taylor wrote a letter about Indians in which he instigated false complaints. Taylor was no longer allowed to keep, employ, or entertain Indians without a special license.⁵⁴ Peace was the ultimate objective of the court, and it was therefore a high crime to lie about possible violence. Taylor will still be able to employ Indians, but he would have to seek special permission so that the government can keep a close eye on his dealings.

The government sometimes hired Indians to complete certain tasks. Indians on the Eastern Shore were hired as hunters and house workers, possibly because of the more peaceful relationship of the Eastern Shore.⁵⁵ These jobs usually paid Indians less than

⁵² Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 54.

⁵³ Walczyk, *Northampton County Virginia, 1651-1654*, 9-10.

⁵⁴ McKey, *Accomack County Virginia Court Order Abstracts 1666-1670*, 204.

⁵⁵ Deal, *Race and Class in Colonial Virginia*, 45.

their English counterparts did for the same service. On May 17, 1669, the government ordered predators of livestock be killed and for the hunters to receive a reward for completing this task. Indians received “one matchcoat and three shorts of powder and shot” for each predator killed. Scarborough was responsible for distributing this reward, and he would receive 150 pounds of tobacco as compensation for each time he did this task. English colonists received a reward of 200 pounds of tobacco.⁵⁶ The opportunity for reward was open to all hunters, but English colonists received a higher reward for the same task.

On June 17, 1682, the court granted William Anderson, William Wilson, and Wamatanoke, an Indian, certificates for catching Anthony, a slave. They were supposed to appear at the next session to be acknowledged by the court.⁵⁷ The government hired Indians to complete jobs that were odd in nature. On June 16, 1670, the government employed Mr. John, an Indian, to find fatherless children to become servants. They paid him 15 arm’s length of Roanoke (white shell beads) per child he produced.⁵⁸ Once again, a labor force was imperative for the survival of the colony. With the limited population on the Eastern Shore, indentured servitude was filled with individuals by any means necessary. By indenturing bastard children to individual landowners, the local parish and government did not have to take care of the financial burden of the child.

Indentured Servitude

⁵⁶ McKey, *Accomack County Virginia Court Order Abstracts 1666-1670*, 164.

⁵⁷ JoAnn Riley McKey, *Accomack County Virginia Court Order Abstracts 1678-1682, Volume 6* (Bowie, Maryland: Heritage Books, Inc., 1996), 221.

⁵⁸ McKey, *Accomack County Virginia Court Order Abstracts 1666-1670*, 203.

Indentured servitude was a fixture in jump starting travel to the New World, and this was no different in the Chesapeake Bay. It allowed poor settlers to gain passage across the Atlantic Ocean. The origins of indentured servitude are a modification and combination of apprenticeship and short-term husbandry.⁵⁹ This new system allowed the colony to gain the necessary number of people to employ in work throughout the region. Its regulations for English users involved a contract of service of four to seven years in return for passage to the New World. The master who financed the individual was provided a labor force and given land as payment.⁶⁰ This encouraged wealthy landowners to finance the passage of others, which provided them a labor force, along with expanding their acreage. Indentured servants played an important role on the Eastern Shore of Virginia. While English settlers were arriving from England, Indian youth were serving as indentured servants as a way to become fluent in the language and culture of the English.

The leaders of tribes negotiated the common contract between an Indian child and an English landowner. These leaders could be kings, queens, or great men. Most Indians indentured to English settlers were children aged between 8 and 16. This demographic had the easiest time learning the language and adapting to the different environment of English settlements. The first step in a child becoming indentured was being aged. A child was brought before the court and assigned an age so their years of service could be accurately recorded. The two parties then stipulated what the tribe or child would receive upon the completion of the indenture. Unlike with English servants, Indians were forced

⁵⁹ Middleton, *Colonial America*, 41.

⁶⁰ Middleton, *Colonial America*, 40.

to serve until the age of 24 in almost all cases. Regardless of the age the child began serving, they would be released at 24 years of age, making the aging process so important in the court systems.

It was a common occurrence for the court to record and regulate the indenture of Indian youth. On August 16, 1667, a great man of Kikotanck brought 4 Indian boys before the court to be aged. Wickepeason was renamed Humphrey and recorded as 14 years old, Oquiocock was renamed Edward and recorded as 12 years old, Chotohoin was renamed George and recorded as 12 years old, and Anuck was renamed Richard and was recorded as 10 years old. All of the boys were bound to Mrs. Ann Toft until the age of 24, which was agreed upon by their king, and the boys would receive corn, clothes, and one good cow each.⁶¹ This was a standard agreement between an Indian leader and a potential master. The contracts promise the children items, but no land. This was a difference between Indian and English indentured servants. English indentured servants received a small plot of land upon completion of their shorter service. A few years later, on February 3, 1670, Mrs. Ann Toft brought eight more Indian children to be aged for indenture. The indentured servants would serve until the age of 24 and receive corn and clothes. Will (13 years old), Ned (16 years old), Antony (16 years old), Black Jack (11 years old), Harry (10 years old), Jonas (10 years old), Moll (13 years old), and Bess (8 years old).⁶² All of these children would serve Mrs. Ann Toft until they reached the age of 24, no matter their starting ages.

⁶¹ McKey, *Accomack County Virginia Court Order Abstracts 1666-1670*, 52.

⁶² McKey, *Accomack County Virginia Court Order Abstracts 1666-1670*, 191.

Tribal leaders had the power to indenture the children of their tribe, while the children themselves received little say in the matter. Indian indentured servants sometimes ran away instead of serving the entirety of their term. On August 16, 1667, Wincewough (renamed James), an Indian boy belonging to the Metomkin, was aged to be 12 years old. The court ordered Wincewough (James) to serve Robert Hutchinson until the age of 24, when he will then receive corns and clothes.⁶³ Wincewough (James) appears in the court record again, as a runaway, three years later. He was on the run for a year and a half. The court order him to serve twice the amount of time he was gone.⁶⁴ It was actually Amongos, an Indian greatman of Mattomkin, who brought in Mr. Robert Hutchinson's fugitive Indian servant from Nanticoke. Amongos had failed to bring in the other two servants and was suspected of assisting the servants.⁶⁵ The court ordered he be kept in irons until the other 2 servants returned.⁶⁶ Wincewough's (James') experience of running away and being recaptured happened throughout the Eastern Shore. The caught indentured Indians were forced to serve twice the length they were gone as punishment.

In most cases indentured servants only ran away and faced punishment once. Winsewack (James) would run away again only a few years later. On April 16, 1675, Mr. Robert Hutchinson complained Winsewack (James) left his service for 98 days. Winsewack (James) was ordered to "make satisfaction" to his master after his service

⁶³ McKey, *Accomack County Virginia Court Order Abstracts 1666-1670*, 54.

⁶⁴ McKey, *Accomack County Virginia Court Order Abstracts 1671-1673*, 79.

⁶⁵ While the record does not name Wincewough (James) as the indentured servant brought in by the great man of Mattomkin the timeline fits and Mr. Hutchinson is named as the owner of the indentured servant. It appears the great man of Mattomkin was forced to turn in indentured servants of his own tribe or face punishment.

⁶⁶ McKey, *Accomack County Virginia Court Order Abstracts 1671-1673*, 83.

was completed.⁶⁷ Winsewack was indentured at the age of 12. He spent his teenage years attempting to escape his indenture to Mr. Robert Hutchinson. The same types of events were occurring on Edmund Scarborough's property. On September 17, 1672, Humphrey, Indian servant to Scarborough, confessed to being gone 6 months, while Scarborough said it was 8 months. The court ordered Humphrey to serve an extra 12 months unless Scarborough could prove he was gone the extra months.⁶⁸ Scarborough's reputation for hatred of Indians was well known throughout the region. Scarborough often brought his servants, and they in turn brought him, before the court to argue disagreements.

The court forced indentured servants to serve longer terms for reasons besides running away. On January 17, 1672, Elisabeth Lang, an English indentured servant, agreed to 3 extra years of servitude to William Custis because of her pregnancy with an Indian man. The court ordered Custis to appoint a constable living near Kitt, the father, to summon and bring him before a magistrate. This magistrate would "commit him until he satisfied the law."⁶⁹ The county court needed to make sure an adult male took financial responsibility for the baby. The child was bound to Custis at birth until the age of 24. Lang asked that the Indian father not have any part in the raising of the child.⁷⁰ The court handled pregnancies by indenturing the child to the mother's master. The child became Custis' responsibility and no longer posed a financial burden on the county.

Bonding a child to his or her mother's master was often a solution to the problem of bastard children. This allowed another worker to join the workforce in about a decade.

⁶⁷ McKey, *Accomack County Virginia Court Order Abstracts 1673-1676*, 111.

⁶⁸ McKey, *Accomack County Virginia Court Order Abstracts 1671-1673*, 88.

⁶⁹ McKey, *Accomack County Virginia Court Order Abstracts 1671-1673*, 16.

⁷⁰ McKey, *Accomack County Virginia Court Order Abstracts 1671-1673*, 37.

Even when the child was born to an English mother, the court immediately put it into indenture. On the same farm and the same year, William Custis complained that Kitt, an Indian, had “insolent contempt of a warrant.” The court summoned Kitt to the next court session for complaints of his master.⁷¹ The court mediated and had final judgement on matters between servants and masters. Just as indentured servants could be forced to serve longer terms, masters could be forced to release their indentured servants from service.

A common complaint of Indian servants against masters was forced servitude after the end of a contract. On March 7, 1672, the court ordered Scarburgh to give Peter, an Indian, his freedom, corn, and clothes. Scarburgh was also responsible for paying the court costs.⁷² Indentured servants were able to take matters to court concerning their freedom from service. Just a year later, Anthony, Will, Ned, and Besse, all indentured Indians under Scarburgh, petitioned for their freedom. The court referred this matter to the next court session.⁷³ His indentured servants, because of wrongdoings, often took Scarburgh to court. On May 28, 1697, Mary Indian Empress, on behalf of Tonganaquato, brought a complaint against Obedience Johnson for Tonganaquato’s son Assabe. The court released Assabe from his indenture because of a transactional error. A cow was killed before it reached Mary Indian Empress as payment for Assabe’s service. This cow was supposed to be payment for the Assabe’s indenture, but since the cow was dead, the

⁷¹ McKey, *Accomack County Virginia Court Order Abstracts 1671-1673*, 79.

⁷² McKey, *Accomack County Virginia Court Order Abstracts 1671-1673*, 53.

⁷³ McKey, *Accomack County Virginia Court Order Abstracts 1671-1673*, 127.

court releases the boy from his indenture.⁷⁴ The court handled all disputes concerning indenture contracts.

Indentured servitude between Indians and Englishmen had its problems, but also served its purpose. By having Indian children in English life, it allowed a more trusting relationship to form on the Eastern Shore. In the 1660s and 1670s, a few dozen local Indian youth acted as apprentices.⁷⁵ During this period, Accomack County made it legal to employ Indians, which drew Indian youth into the homes of planters for service of 8 to 17 years.⁷⁶ The cultural exchange proved valuable for Indian survival on the Eastern Shore.

Tithables

The colonial government raised money in two ways: trading and taxes. Taxes, also called levies, were determined by the number of tithable people in a household. Tithable people consisted of all white men and all free blacks, male and female, above the age of sixteen.⁷⁷ Tithables were a way for both local and colonial governments to raise the money necessary to improve building structures and pay officials. The Justice of the Peace listed the tithables annually at crop time.⁷⁸ It was the responsibility of each head of household to make sure the information was updated and accurate or else face penalty for the government.

⁷⁴ Frank V. Walczyk, *Northampton County Virginia Orders & Wills, 1689-1698, Volumes 1-2, vol. 2* (Coram, New York: Picton Press, 2000), 106.

⁷⁵ Deal, *Race and Class in Colonial Virginia*, 50.

⁷⁶ Deal, *Race and Class in Colonial Virginia*, 51.

⁷⁷ Robert Beverley, "The Present State of the Country, as Polity of the Government, and the Improvements of the Land," in *The History and Present State of Virginia*, eds. Daphna Atias and Helen C. Rountree (Chapel Hill: University of North Carolina, 2013), 202.

⁷⁸ Beverley, "The Present State," 202.

There are three types of levies: public, county, and parish. The General Assembly determined public levies, and they were applicable to all tithable people in the colony. County levies varied based on location and were enlisted to fund local governmental operations. Parish levies allowed for the parishes of a given area to be fully functional.⁷⁹ A head of household would be responsible for paying all three levies for each tithable person living on their land each year at crop time. Indians appeared in the tithable records most frequently as a member of the household. Multiple court records indicated children brought in to be aged by the urging of the government so they could determine when the individual reached the important age of sixteen.

The tithables listed Jack an Indian as part of the household of Mr. Isaack Foxcroft in the tithables on September 4, 1665.⁸⁰ This meant he was part of the household above the age of 16 years old. He continued living with the Foxcrofts for at least three years. Jack an Indian was again listed as living under Issack Foxcroft in the tithables on August 28, 1668.⁸¹ Jack stayed with the Foxcroft family for an extended amount of time. The government made sure to tax the Foxcroft family for possessing a tithable individual. The tithable listing an Indian as part of an English family happened regularly. On August 28, 1671, Gusman Indian was listed under the household of Dennis Emolegen in the tithables.⁸² Another case listed Nanan Indian under John Custis Senior in the 1677

⁷⁹ Beverley, "The Present State," 202-3.

⁸⁰ Dr. Howard Mackey and Marlene A. Groves, *Northampton County Virginia Record Book, Court Cases, Volume 9: 1664-1674* (Rockport, Maine: Picton Press, 2002), 50.

⁸¹ Mackey and Groves, *Northampton County Virginia Record Book, Court Cases, 1664-1674*, 165.

⁸² Mackey and Groves, *Northampton County Virginia Record Book, Court Cases, 1664-1674*, 302.

tithables.⁸³ These records show that Indians interacted closely with English families in certain places on the Eastern Shore.

It was common to have multiple indentured servants working for the same master. Henry Read brought in three Indian children to the Accomack County courts to be aged over a three-year period. On May 11, 1686, he brought in Jone, referred to as Indian servant girl, to be aged. It was determined that she was four years old.⁸⁴ An earlier case has Read bringing in Jack, Indian servant, to be aged. It was determined he was twelve years old. The court case stated that Jack was aged for the purposes of tithable.⁸⁵ Two years later he brought in another boy named Indian Jack who the court judged to be 10 years old for tithables.⁸⁶ All head of household were required to bring Indian servants to be aged in preparation for paying tithables.

Mr. William Anderson also had many Indian children brought before the court for aging. On August 6, 1684, Mr. William Anderson brought Betty, Indian girl, to court and they decided she was 10 years old.⁸⁷ Just a few months later Mr. Anderson brought Harry, Indian boy, to be aged, the court decided he was 9 years old.⁸⁸ The age of children ranged from four years old to sixteen. No age was too young or old to indenture a child. The government monitored the age of indentured servants for the purposes of tithables.

⁸³ Dr. Howard Mackey and Candy McMahan Perry, *Northampton County Virginia Record Book, Deeds, Wills & c, Volume 10: 1674-1678* (Rockport, Maine: Picton Press, 1999), 201.

⁸⁴ JoAnn Riley McKey, *Accomack County Virginia Court Order Abstracts 1682-1690, Volume 7* (Bowie, Maryland: Heritage Books, Inc., 1996), 15.

⁸⁵ McKey, *Accomack County Virginia Court Order Abstracts, 1682-1690*, 48.

⁸⁶ McKey, *Accomack County Virginia Court Order Abstracts, 1682-1690*, 106.

⁸⁷ McKey, *Accomack County Virginia Court Order Abstracts, 1682-1690*, 79.

⁸⁸ McKey, *Accomack County Virginia Court Order Abstracts, 1682-1690*, 87.

People who were unable to pay their taxes faced even more financial trouble. An Indian man named Edward Bagwell was accused of not paying his tithables. On February 9, 1699 Sheriff Captain George Nicholas Hack informed the court of the county's delinquents of tithables. Edward Bagwell was one name on the list, and he was the only Indian listed.⁸⁹ The following April, Hack informed the court Edward Bagwell had still not paid his tithables. Captain William Custis appeared on behalf of Edward Bagwell and asked that the court handle the matter at the next court session.⁹⁰ Captain William Custis coming to the defense of Edward Bagwell was a rare occurrence for this period.

Only a few records indicated English settlers offering their own power and support to assist Indians. The court matter pushed the matter to June of the same year. Edward Bagwell told the court he tried to pay his tithables but the list got lost. Seeing as all communication and records were handwritten and delivered, this was a viable excuse. The county court agreed with Bagwell on the matter. Bagwell had to pay last year's taxes and the court charges.⁹¹ Edward Bagwell being on the tithable list at all meant he was not part of the reservation system and under the jurisdiction of the county. Indians living on the Gangaskin reservation were exempt from tithables based on their legal status.

Settling Disagreements

The county court system allowed the Eastern Shore to settle small disputes at the local level. Both Indians and English colonists took the opposing side to court to settle disagreements peacefully and expediently. Rountree and Davidson found, "Armed with

⁸⁹JoAnn Riley McKey, *Accomack County Virginia Court Order Abstracts 1697-1703, Volume 9* (Bowie, Maryland: Heritage Books, Inc., 1996), 53.

⁹⁰McKey, *Accomack County Virginia Court Order Abstracts 1697-1703*, 57.

⁹¹McKey, *Accomack County Virginia Court Order Abstracts 1697-1703*, 62.

their [Indians] equal-to-English civil right – at least until the late seventeenth century – they went to court on an equal basis with their English neighbors.”⁹² The county court systems of the Eastern Shore wanted peace for the area; this could only be accomplished if both groups had access to the legal system. Most court cases between these two groups settle disagreements of some sort.

A case could be dismissed for two reasons, one of the parties did not attend court, or the plaintiff did not present enough evidence for a verdict. On February 10, 1695, Captain Isaac Foxcroft, on behalf of Henry Harmanson, brought a complaint against Manuel the Indian. Manuel does not appear before the court, therefore he must pay court costs and the court considered the complaint resolved.⁹³ If either party did not appear before the court, he or she was responsible for paying the court costs. The county court office always guaranteed someone was responsible for paying the necessary fees to keep the courthouse operational. While in the previous example it was Manuel, an Indian, who did not appear before the court, it was just as common for English colonists to miss their court dates. On October 18, 1682, Mr. Thomas Teackle sued George, an Indian. Teackle failed to appear in court, leading justices to dismiss the case. Teackle was responsible for paying court costs because of his lack of appearance.⁹⁴ Failure to appear in court was an automatic victory for the opposing party in a dispute.

The importance of appearing in court was vital. Munatacka Kikatananck (Indian) accused John Stratton of assault. The court brought Stratton into custody over the

⁹² Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 59.

⁹³ Walczyk, *Northampton County Virginia Orders & Wills, 1689-1698, Volumes 1-2*, vol. 2, 58.

⁹⁴ McKey, *Accomack County Virginia Court Order Abstracts 1678-1682*, 231.

allegation, but Munatacka did not appear before court to prosecute the supposed criminal acts. Therefore, he was ordered to pay court costs and the assault charge was dropped without ever being examined.⁹⁵ The other way a court decision was never reached is because of a lack of evidence. This lack of evidence meant there was no cause for action by the court. On January 17, 1678, the court summoned Arthur Upshot and Nathaniel Bradford because of King Robin's complaint. King Robin could not provide enough evidence therefore the case was dismissed.⁹⁶ The court referring to the plaintiff as "King Robin" shows they respected him as a political leader. Still, his case was dismissed because it could not be proven.

A lack of proof was a common occurrence on the Eastern Shore. On January 8, 1674, the court found no proof or reason for the case between plaintiff John Drumond and defendant the Bowlemake (an Indian).⁹⁷ The legal system was relatively fair between colonial and Indian plaintiffs when dismissing cases for lack of evidence. The court would not make a decision without knowledge on the subject. If the court believed more evidence would become available in the near future, it would refer the case to the next court session. On January 27, 1675, Amungos (Indian) was ordered to appear at next court because of Mr. Robert Hutchison's complaint.⁹⁸ Mr. Hutchinson had time in between court sessions to gain witnesses and proof of his complaint. On May 17, 1678, the court granted a certificate to John Cole for next assembly. It concerns compensation

⁹⁵ McKey, *Accomack County Virginia Court Order Abstracts 1673-1676*, 135.

⁹⁶ JoAnn Riley McKey, *Accomack County Virginia Court Order Abstracts 1676-1678, Volume 5* (Westminster, Maryland: Heritage Books, Inc., 1996), 79.

⁹⁷ McKey, *Accomack County Virginia Court Order Abstracts 1673-1676*, 8.

⁹⁸ McKey, *Accomack County Virginia Court Order Abstracts 1673-1676*, 88.

to Indians in tobacco payment for cider.⁹⁹ Information on the matter was limited and would therefore be brought up at the next meeting of the court. The county court systems had large amounts of power over local individuals, and often pushed matters in order to gather evidence.

The court often settled disputes over debt disagreements. On July 7, 1685, the court granted Thomas Midleton 200 pounds of tobacco from Arthur (Indian) as debt. Arthur was required to pay court costs because he was at fault for the matter requiring the attention of the county court.¹⁰⁰ Certain debt cases reached further than a single court session. Multiple parties sued Edward Bagwell (Indian) in the late 1690s. In October 1698, John Bayley sued Edward Bagwell (Indian) for 500 pounds of tobacco. Bagwell could not be found for the court session so an attachment was granted against his estate to pay his debt and the cost of suit.¹⁰¹ Just a few months later, William Jerman sued Edward Bagwell for 400 pounds of tobacco.¹⁰² Bagwell again failed to appear for this case, so the court granted an attachment to his estate to cover the debt and cost of the suit.¹⁰³ Within the same court session, Ann Bagwell failed to prosecute against Edward Bagwell (Indian) so her suit was dismissed.¹⁰⁴ The many debt proceedings of Edward Bagwell show how the court handled the issue of debt.

Theft disputes made up a large number of the court cases handled by county court officials. Most cases dealt with colonists stealing goods from Indians in the county. On

⁹⁹ McKey, *Accomack County Virginia Court Order Abstracts 1676-1678*, 112.

¹⁰⁰ McKey, *Accomack County Virginia Court Order Abstracts 1682-1690*, 117.

¹⁰¹ McKey, *Accomack County Virginia Court Order Abstracts 1697-1703*, 40.

¹⁰² This record did not use the Indian word indicator. Due to the closeness in date and name, I felt it safe to assume this was the same person.

¹⁰³ McKey, *Accomack County Virginia Court Order Abstracts 1697-1703*, 43.

¹⁰⁴ McKey, *Accomack County Virginia Court Order Abstracts 1697-1703*, 44.

May 18, 1675, Qiqoutanck Indians complained of a corn robbery. John Stockely Jr, John Field, and John Jackson confessed and paid the Qiqoutancks six yards of new trading cloth and the men paid all court costs. The men also returned the Qiqoutanck's corn.¹⁰⁵ The general consequences of stealing were to return the items and pay some sort of fee to the individual.

Extenuating circumstances still operated within the same system but show how the court system handled challenging cases. On December 17, 1681, Dick Shooes (Indian) told the court Henry Williams, David (servant to Mr. Edward Revell), John Revell, and James Walker killed six of his hogs. The court referred the case to the next session because no translator was available.¹⁰⁶ The court would take necessary measures to make sure the system properly represented all people. A translator was necessary for certain Indians appearing before the court. On November 8, 1690, Blincks, a Matomkin Indian, accused John Marshall, Joseph Woodland, and William Johnson of stealing 8 deerskins, 2 mats, and a gun, which was used by Blinks for Brotherton, his English employer. Marshall and Johnson replaced the items and returned the gun to Blinks.¹⁰⁷ William Johnson, a mulatto, confirmed this in a deposition before the court.¹⁰⁸ The court system allowing the testimony of a mulatto is interesting but also understandable. Stealing was a major issue that the county court handled and matters were usually settled peacefully.

¹⁰⁵ McKey, *Accomack County Virginia Court Order Abstracts 1673-1676*, 119.

¹⁰⁶ McKey, *Accomack County Virginia Court Order Abstracts 1678-1682*, 197.

¹⁰⁷ JoAnn Riley McKey, *Accomack County Virginia Court Order Abstracts 1690-1697, Volume 8* (Bowie, Maryland: Heritage Books, Inc., 1996), 2-3.

¹⁰⁸ The courts sometimes refer to a mulatto as someone who has black ancestry and is free.

Sometimes colonists believed they were right in taking items from Indians. The use of guns by Indians was monitored, but a gray area in the legal system exists. A licensing system for guns made it legal for Indians to possess the weapons.¹⁰⁹ On April 17, 1678, Arthur (Indian) said Roger Miles detained his gun. The court ordered that Miles deliver the gun “well fixed” and pay court cost. Arthur’s lawyer was Charles Holden.¹¹⁰ Miles thought he was within the law removing the gun from Arthur. The court corrected this error. On July 12, 1681, John Washbourne sued Mr. Thomas Teakle because Teakle took a gun from George (Indian) who had the gun for the purposes of covering a debt. Washbourne returned the gun by order of the court.¹¹¹ Once again, a gun was wrongfully taken away from an Indian. These court cases all end peacefully, although they were avoidable. Indians faced many legal battles simply because they were Indian. Arthur had every right to carry the gun in his possession, but his race made Miles suspicious, and Miles chose to act on that suspicion instead of the law.

The most gruesome court cases dealt with assault and murder. On December 20, 1671, John the Bowlmaker and Jack of Morocco, both Indians, disobeyed a warrant for their arrest. The men drew the warrant deliverers’ blood. John the Bowlmaker was to receive 30 lashes for contempt and 30 lashes for abuse. Jack of Morocco was to receive 30 lashes for aiding and abetting. Both men were to remain in custody until paying costs and fees.¹¹² This act of assault by two Indian men on an agent of the court was handled with a fine and physical punishment. On April 16, 1675, Vittomucoupars, an Indian,

¹⁰⁹ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 71.

¹¹⁰ McKey, *Accomack County Virginia Court Order Abstracts 1676-1678*, 99.

¹¹¹ McKey, *Accomack County Virginia Court Order Abstracts 1678-1682*, 166.

¹¹² McKey, *Accomack County Virginia Court Order Abstracts 1671-1673*, 31.

complained that Mr. Stratton's Indian servant Harry and other people took his corn.

Vittomucoupars also said Stratton beat the Indian that came to summon him to court.

Harry received 31 lashes and Stratton was fined 200 pounds of tobacco. Stratton must also pay the abused Indian 10 arm's length of Roanoke and serve an undocumented amount of time in prison.¹¹³ This was a case of an Indian bringing an Indian servant to court. The Indians servant's master had to pay a fine because of his servant's actions. The socioeconomic status and personal values of the individual influenced the operations of the court system on the Eastern Shore, with race playing a secondary role.

Murder charges were rare on the Eastern Shore. On August 4, 1680, Jeffery, an Indian, killed Weanit, an Indian servant to Peter Parker. The court ordered that Jeffery kill and deliver 15 deer to Peter Parker in 6 months. Jeffery was responsible for paying court costs.¹¹⁴ The societal importance of the individual murdered made the action wrong only in terms of destroyed property. Peter Parker was given 15 deer as payment for the loss of his servant. Jeffery was also responsible for paying the court costs. Nothing was done about the murder of the servant. This would be true for an English servant as well. On May 16, 1681, the Indian husband of the Empress of Accomack said Henry Ere, also called Harry the Frenchman, attacked the Empress and other Accomacks. Henry Ere was ordered into the sheriff's custody and had to appear in court.¹¹⁵ Almost all acts of violence between colonists and Indians had colonists as the perpetrators. The Indians on the Eastern Shore were peaceful by nature and the government compensated them when acts of violence occurred. These isolated acts of aggression against Indians in the area

¹¹³ McKey, *Accomack County Virginia Court Order Abstracts 1673-1676*, 111.

¹¹⁴ McKey, *Accomack County Virginia Court Order Abstracts 1678-1682*, 119.

¹¹⁵ McKey, *Accomack County Virginia Court Order Abstracts 1678-1682*, 149.

show the deeper resentment colonists held towards Indians. While colonists would receive punishment, it was not enough of a deterrent to keep it from happening frequently.

Fear of Indian Attack

The ever present fear of Indian attack prompted colonists to have some level of distrust for all Indian communities from the very beginning. The fear of Indian attack was unfounded, most especially on the Eastern Shore of the Chesapeake Bay. Two of the larger Eastern Shore tribes, the Occohannocks and the Gingaskins, both existed peacefully with the English colonists. The former withdrew from the area and the latter converted to English customs enough to coexist for 150 years.¹¹⁶ Peace between Indians and colonists was the norm on the Eastern Shore.

A reason for this peaceful existence was the staggering Indian population decrease from the beginning to the end of the seventeenth century. The Indian population was a tenth of its previous size.¹¹⁷ This change occurred on both sides of the Chesapeake Bay, even though no major fighting occurred between Indians and colonists on the Eastern Shore, which was quite the opposite of Western Shore history. Disease played the largest role in allowing for colonial success, yet colonists still feared a possible attack by the depleted populations of indigenous communities.

While the Eastern Shore had its own legal system, it did send over important cases to Jamestown on a quarterly basis. The county court settled matters first, and then sent them over to Jamestown for further review if necessary. In April 1651, Edmund

¹¹⁶ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 63.

¹¹⁷ Deal, *Race and Class in Colonial Virginia*, 11.

Scarburgh led fifty men on an attack against Pocomoke Indians.¹¹⁸ Scarburgh and his men attempted to kidnap or kill the Queen, they shot at Indians, and took prisoners who were then injured and killed.¹¹⁹ At a court session concerning their crimes, the case was ordered across the Chesapeake Bay to Jamestown. The local or colonial governments did not sanction this attack.

Argoll Yardley and William Andrews brought Scarburgh and his men to Jamestown later in May. The leaders in Jamestown told the men to be on the lookout for further Indian plots.¹²⁰ During the same time as these trials, a Council of War was held at Jamestown. The Council announced that Scarburgh would face no consequences for attacking the Pocomoke Indians.¹²¹ Jamestown was much more sympathetic and understanding of Scarburgh's actions because of the higher level of conflict on the Western Shore. This decision contradicted the general belief and practices of peace on the Eastern Shore. Jamestown was more sympathetic towards Scarburgh's actions because it was similar to the actions of Western Shore colonists.

While it was common for Jamestown to be more sympathetic towards conflict rather than cooperation, this changes in the latter part of the seventeenth century. In the 1670s, Governor Berkeley assisted Eastern Shore Indians after he found sanctuary on the Eastern Shore during Bacon's Rebellion. He settled a chain of power dispute for a local tribe. He even gave Eastern Shore Indians more rights because of his more positive view of the Indians on the Eastern Shore compared to the Western Shore.¹²² The Eastern Shore

¹¹⁸ Deal, *Race and Class in Colonial Virginia*, 28.

¹¹⁹ Walczyk, *Northampton County Virginia, 1651-1654*, 30.

¹²⁰ Walczyk, *Northampton County Virginia, 1651-1654*, 31.

¹²¹ Walczyk, *Northampton County Virginia, 1651-1654*, 17.

¹²² Deal, *Race and Class in Colonial Virginia*, 40.

was an anomaly in its peaceful takeover and removal of Indian tribes compared to the rest of the English colonists.

While violence on the Eastern Shore did occur in extreme circumstances, either Indians or colonists usually accomplished it through fearmongering. This fearmongering comes from the negative emotions from both parties on the Eastern Shore.¹²³ While fighting was rare, animosity between the groups ran high. Nathaniel Littleton was at the center of a dispute that occurred in July 1651.¹²⁴ The Eastern Shore colonists believed the rumor of an Indian confederacy forming to conduct massacre. A horse party was sent to investigate and gain intelligence. Littleton wrote a letter cautioning war against the Indians based on this rumor.¹²⁵ While Indian populations dwindled, the population of English colonists on the Eastern Shore was also quite low. There was then another warning of a confederation forming. This time men are ordered to create a task force to combat this issue.¹²⁶ Nathaniel Littleton was then told he can borrow items for this task force to fight against Indians.¹²⁷ Despite urging the county government to forego fighting, he was forced to prepare for a rumored conflict. There was no further mention of this conflict after July of 1651. As with most fearmongering on the Eastern Shore, nothing came out of the event besides fear and distrust.

When individuals can be identified in rebellious acts against the colony, there are swift and aggressive punishments. In the late 1680s, the court charged a “thievish runaway Indian called Pickpocket” who confessed to housebreaking and felonious cheats.

¹²³ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 70.

¹²⁴ Walczyk, *Northampton County Virginia, 1651-1654*, 27.

¹²⁵ Walczyk, *Northampton County Virginia, 1651-1654*, 27.

¹²⁶ Walczyk, *Northampton County Virginia, 1651-1654*, 27-8.

¹²⁷ Walczyk, *Northampton County Virginia, 1651-1654*, 28.

He was also spreading rumors to negatively impact Indian and colonial relations. The court exiled Pickpocket to the Indies for these crimes against the government.¹²⁸ The Eastern Shore took the possibility of an attack just as seriously as the Western Shore. It would do whatever necessary to ensure its high level of peace.

Colonists would bring matters to court when they believed the safety of the county to be in jeopardy. In November of 1675, Indians were questioned during a meeting at Major Edmund Bowman's house. The colonists suspected a rebellious plot, but they lacked the evidence to prove their theory.¹²⁹ The matter was discussed the next month in court. John and Jane Rowles testified that Nead and Pawl (Indians) spoke of a conspiracy for Indians to overthrow the English. The men were to receive 29 lashes and pay the court costs.¹³⁰ The slight possibility of a rebellion was a constant factor for the colonists and influenced how they treated indigenous communities. While peace presided, this peace did not come with trust and comradery.

Oddities of Eastern Shore

Colonials and Indian relations on the Eastern Shore exhibited the calmer side of the Chesapeake Bay. Eastern Shore court records are intact because of a lack of fiery rebellions, which scorched and destroyed Western Shore records. It experienced lower levels of violence and higher levels of peace. However, its records have a fair number of abnormal cases that seem out of place for the nature of the Eastern Shore. Fornication between Indians and English settlers was a rarity of this era for any region. This type of relationship between Indians and Englishmen was simply not common in the 17th

¹²⁸ McKey, *Accomack County Virginia Court Order Abstracts 1666-1670*, 84.

¹²⁹ McKey, *Accomack County Virginia Court Order Abstracts, 1673-1676*, 150.

¹³⁰ McKey, *Accomack County Virginia Court Order Abstracts, 1673-1676*, 155.

century. It was a social norm not often ignored by Indians and colonists.¹³¹ The aftermath of interracial relationships on the Eastern Shore of Virginia was complicated.

On December 16, 1681, an unidentified Indian woman, servant of Captain Custis, was charged with fornication. The court summoned her to appear before the court to answer for this crime.¹³² The next day, the court recorded that Captain William Custis sued Daniel Hilliar and John Poplewell for damages for a child born to Custis' Indian servant. He sued for 3000 pounds of tobacco because she nursed the child for 12 months. The court agrees with Custis and orders the men to pay the debt and court costs.¹³³ The fate of the child was never discussed. The child most likely joined the mother as a servant on Custis' property. The father of the child was most likely one of the men fined for being the cause of the Indian servant being unable to work. The county government hold these men accountable only in a financial sense. They are being sued, not because of a lack of money, but because of a lack of labor they created. Once the financial obligation of the child was handled, fornication charges were considered settled. The only other fornication charge between an Indian and English colonist came over a decade later.

On September 28, 1697, the court convicted Mary Preston, servant to Jonathan Scott, of fornicating with Piney an Indian. Mary Peterson had Piney's child. Jonathan Scott assumed financial responsibility for the child, but he refused to pay the fine levied on Mary Preston. She received 25 lashes on her bare back and 1 extra year of servitude in place of the 1000 pound tobacco fine she was unable to pay.¹³⁴ The punishment for

¹³¹ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 41.

¹³² McKey, *Accomack County Virginia Court Order Abstracts 1678-1682*, 193.

¹³³ McKey, *Accomack County Virginia Court Order Abstracts 1678-1682*, 195.

¹³⁴ Walczyk, *Northampton County Virginia Orders & Wills, 1689-1698, Volumes 1-2*, vol. 2, 122.

Mary's fornication was a lashing combined with more years of service. This was done to compensate for time a servant was unable to work due to her pregnancy.

The family structure, which existed on the Eastern Shore, allowed for survival. It was therefore imperative that people remained married and continued family ties. Divorce was not an option in the colony because of the smaller population and the necessary social structure marriage fulfilled. Interestingly, the court granted a woman a divorce because her husband spent his time with Indians.¹³⁵ This would occur two other times in the court records. English colonists walked a fine line between intermingling and coexisting with Indian people. If a colonist became too close with the surrounding Indian communities, the community member was allowed to be shunned. In an era where divorce was nonexistent, this is an important window into the values of the era.

County officials strived to obtain a middle ground that allowed the Eastern Shore to thrive with limited interactions between Indians and colonists. Still, the two groups sometimes became entangled in ways disapproved of by the government. On June 19, 1677, Alexander Dun gave a deposition about events that transpired in a local tavern. He stated Mr. Hutchinson's servant, Winsewack, renamed James, asked George Boice for drink credit. Winsewack (James) promised pipes to Boice as payment. Boice refused the pipes because the last ones he received from Winsewack (James) were rotten. A male dominance fight ensued, in which insults flew back and forth between the two men. Boice then attacked Winsewack (James) when provoked with strong words.¹³⁶ This sparing of words shows that despite the desires of county officials, a cultural exchange

¹³⁵ Deal, *Race and Class in Colonial Virginia*, 43.

¹³⁶ McKey, *Accomack County Virginia Court Order Abstracts 1676-1678*, 45-6.

always existed between Indians and colonists. Winsewack (James) used English phrasing and style that matched George Boice. This could only occur because of the cultural exchange that occurred when children were indentured into English households.

Perhaps the most mysterious case occurred on November 20, 1694. Captain George Nicholas Hack's Indian slave Jenny was accused of secretly delivering, murdering, and burying her baby. She pled not guilty before the county court. The court discharged Jenny from holding and Hack was responsible for paying the court costs.¹³⁷ It is not clear who accused Jenny of this crime, and it is not clear what happened to the baby who the court thought to be murdered. A lack of evidence presented to the court to convince them of Jenny's guilt meant she went free. Her master was made to pay the court costs, most likely because no one individual accused her of the crime. Since there was no specific individual to charge with the court costs it was passed on to the only free man involved, her master. The ultimate goal of the court was to place financial responsibility on a third party able to pay.

Conclusion: The Gingaskin Reservation

The Eastern Shore government created a reservation because of cultural differences between the Gingaskin people and the English colonists. The English established scattered farm dwellings, which existed in a spread out nature.¹³⁸ Indians preferred living in towns, operating under group dynamics. While both parties farmed, Indians thought this to be women's work because of the leisure time it provided throughout the day. The English believed everyone in the family should participate in

¹³⁷ McKey, *Accomack County Virginia Court Order Abstracts 1690-1697*, 150.

¹³⁸ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 61.

farming because the more farming the more profit.¹³⁹ The Indian community also practiced a cyclical use of resources. This meant that Indians would move from town to town in a shifting pattern to allow depleted resources to replenish in the years they were left alone. Many colonists thought the Indians were nomadic, but perception involved a misreading of Indian settlement patterns.¹⁴⁰ The cultural differences between Indians and colonists forced the creation of a clear divide between colonists and Indians using the reservation system. It created a clear “us” and “them,” which allows for discrimination to prosper.

The origins of the Gingaskin reservation can be traced back to Thomas Savage and his estate. Savage allotted 1500 acres of his land to create the Gingaskin reservation in 1640.¹⁴¹ Almost thirty years later, his son, John Savage, sued the reservation because he believed it belonged to his family. The court found the reservation to be on Savage’s land but did nothing to solve the conflict. The court revisited the issue in October 1763 when the Gingaskin people complained of Englishmen settling on their land. The court investigated the matter and created a 650-acre space where Englishmen could not settle.¹⁴² The court removed 900 acres of land from the Gingaskin people in order to solve the problem. It simply decreased the size of the reservation to the smaller amount in the court records. Two thirds of Gingaskin land was simply written out of their possession in the 1760s.

¹³⁹ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 62-3.

¹⁴⁰ Deal, *Race and Class in Colonial Virginia*, 10.

¹⁴¹ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 54.

¹⁴² Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 64-65.

Formal efforts to destroy the reservation system came in the form of colonists' complaints about the reservation. They believed the Indians were misusing the land because of a lack of farming all open areas. The result were the leasing of 200 acres so the English settlers could "properly" use the land.¹⁴³ Legal termination of the Gingaskin reservation began in 1784. The Indians on the reservation faced scrutiny because of intermarrying between free blacks and Indians on the Eastern Shore.¹⁴⁴ The reservation had approximately 650 acres of land and consisted of 29 adults considered "Indian." The Gingaskin people were Algonquin speaking and had distant ties to the Powhatan Confederacy long ago.¹⁴⁵ The downfall of the Gingaskin reservation was the belief the Gingaskin Indians were not "indian" enough. Once the Gingaskin's language died out they were similar to other non-white groups in social status, but they were tax exempt and possessed better civil rights.¹⁴⁶ Throughout the eighteenth century they are no longer seen as pure "Indian," which made English colonists believe the reservation was no longer right.

The reservation system was dismantled in 1813 through the allotment system.¹⁴⁷ Northampton County, Virginia split up the land of the Gingaskin reservation between the 29 individuals they considered Indian. The government hoped the individuals would sell their land in order to gain money for other ventures. During the 1820s, four lots of land

¹⁴³ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 171-3.

¹⁴⁴ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 173.

¹⁴⁵ Helen C. Rountree, "The Indians of Virginia: A Third Race in a Biracial State," in *Southeastern Indians since the Removal Era*, ed. Walter L. Williams (Athens, Georgia: University of Georgia Press, 1979), 28.

¹⁴⁶ Rountree and Davidson, *Eastern Shore Indians of Virginia and Maryland*, 184-5.

¹⁴⁷ Rountree, "The Indians of Virginia: A Third Race in a Biracial State," 30.

were sold and four were put as collateral for debt.¹⁴⁸ During the next decade, half of the plots ended up being sold to white buyers. Half of the reservation continued to hold onto their homeland until they were forced out because of the Nat Turner insurrection. Discrimination against non-white groups rose dramatically and unrealistic fears rose among colonists. Indians began selling more and more of their plots because of pressures and threats from Englishmen in Virginia.¹⁴⁹

The relationship between Indians and colonists on the Eastern and Western Shores of Virginia differed in peacefulness and treatment. The result on each side of the Chesapeake Bay was the same. The Eastern Shore's relationship allowed Indians to exist for a longer amount of time, but they were still written out of existence. The Western Shore accomplished this through fiery wars and conflicts while the Eastern Shore accomplished this with systematic removal through legal proceedings. These different variations to the same ends show the different type of peoples and governments that existed on each side of the Chesapeake Bay.

¹⁴⁸ Rountree, "The Indians of Virginia: A Third Race in a Biracial State," 32.

¹⁴⁹ Rountree, "The Indians of Virginia: A Third Race in a Biracial State," 32.

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