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Sexual Indiscretions in Virginia's Colonial Capital

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Sexual Indiscretions in Virginia's Colonial Capital

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Bachelor of Arts, St. Lawrence University, 2005

**A Thesis presented to the Graduate Faculty
of the College of William and Mary in Candidacy for the Degree of
Master of Arts**

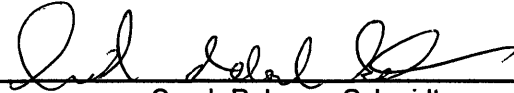
Department of Anthropology

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August 2012**

APPROVAL PAGE

This Thesis is submitted in partial fulfillment of
the requirements for the degree of

Master of Arts




Sarah Rebecca Schmidt

Approved by the Committee, June 2012

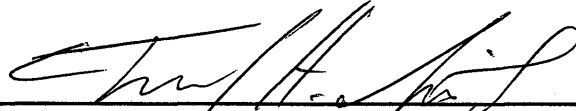


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ABSTRACT PAGE

By investigating sexual indiscretions in 18th century Williamsburg, Virginia we are able to gain knowledge about an inescapable aspect of human behavior. Although it is widely believed that the city was not large enough nor demographics permitted the occupation of prostitution, sexual behavior was an every day function of society. Through a focus on documents from neighboring courthouses, newspaper articles, applicable laws, and personal journals belonging to individuals that frequented the 18th century colonial capital, scenes of sexual indiscretion begin to emerge. Investigations conducted in other 18th century cities along with archaeological research from 19th century brothels are used as models to build a case for future research focusing on Williamsburg's playhouse, boardinghouses, ordinaries, and taverns.

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Acknowledgments

I would like to thank my thesis committee for supporting my decision to pursue this topic when many tried to steer me away. Without their guidance and teachings this thesis would not have been possible. I learned that it was possible to investigate the person 'of little note' in Fred Smith's Historical Archaeology course by implementing the techniques acquired in Kathleen Bragdon's Documentary Anthropology course. I enjoyed my many conversations with Marley Brown in the hallway of Washington Hall, always eager to see what new things I had discovered. Thank you all for being as excited as I was while researching this topic.

I am thankful for the on going encouragement and advice from Melissa Pocock, Dessa Lightfoot, Carol Gillam, Paul Presenza, Berek Dore, Dan Stanley, and my family especially my sister Emilie Howell.

Lastly I would like to share this motto "If humans do it, anthropologists can study it," taught and lived by St. Lawrence Professor of Anthropology Alice Pomponio who passed away just days after my defense. Without her presence in the early years of my anthropology career the determination needed to accomplish my goals would never have been realized.

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Introduction

While trying to decide on a topic for my thesis there was an art troop visiting the campus of William and Mary. The presence of the Sex Worker's Art show created a large and divided debate on campus about what is appropriate to present to the student body or in all matters present to the whole city of Williamsburg. The show caused many to stand up and state that the city should not be exposed to such risqué performances and such shows would negatively influence the morality of the students and city residents. Furthermore, there were individuals who went so far to say that such types of sexual indiscretion were foreign to the area and denied any existence of such behaviors in the history of the city. Experiencing this event made me stop and think: how accurate were these claims that Williamsburg is and has always been a 'morally conscious' city?

I started researching the subject more, trying to find sources on sexual indiscretions during the colonial times in Williamsburg with little immediate success. With sources abound for cities like Boston, Philadelphia, London and even Charleston; I was frustrated with the lack of sources relating to the people of Virginia's colonial capital. One of my professors suggested that I contact the historians at Colonial Williamsburg; with their vast sources they could point me in the right direction. A general e-mail was sent to the researchers at Colonial Williamsburg stating that I was a graduate student interested in 18th century brothels and their presence in Williamsburg, neither affirming nor denying that they existed, just that I was interested in the subject matter and was going to relate it to the city. The response I received was surprising in its abruptness and read as follows: "There were no brothels in 18th-century Williamsburg. Remember that this was a slave society, so black women were frequently taken advantage

of..." followed by "Byrd never mentioned prostitutes here..." and a dismissal of the validity of any source that I may come across. The email concluded as follows: "let me assure you that the Williamsburg take-off is a fake... done as a party favor...I don't believe you'll find enough information to make a thesis" (Powers 2008).

Thinking I had few other options left to locate sources on the subject and that I might need to come up with a new topic, I continued to ask for more advice and was provided another contact at Colonial Williamsburg. This individual was more encouraging in their response, however, due to the sensitivity of the subject wanted to meet behind closed doors. They admitted that certain activities most likely took place within city limits but historical documents would be difficult to obtain, mainly due to Hustings court records being destroyed by fire. However, I was encouraged to proceed with what I knew was and still is a controversial topic.

I asked myself why there was a vehement denial from the townspeople that Williamsburg was once home to women of ill-repute or individuals of questionable moral consciousness. Was the reason why I could not find any research on sexual indiscretions relating to Williamsburg in colonial times due to the lack of determination by previous researchers? The lack of research demonstrates that there is a need to conduct investigation into this topic, no matter how undesirable the findings may be to certain individuals. How is one to get a full understanding of life in colonial times if we do not try to understand every facet of society, even if some may be deemed risqué?

The archaeological research on the American brothel is quite vast in terms of the 19th century. The Five Points District in New York City, Hooker's Division in Washington D.C. the Red Light District of Los Angeles, and the brothels of the mining

west have all been examined in great depth. There are also 19th century studies from Boston and St. Paul, Minnesota that focus on the industry of prostitution. Studies from the 18th century however are limited.

When looking at the work conducted on a different time period it is important to understand that the material culture observed could be quite different than what was available to the inhabitant of 18th century Williamsburg. Technology changed drastically with the Industrial Revolution, but functionality of items remained somewhat constant therefore some artifacts found at a 19th century brothel could hold merit as to what to look for at an 18th century establishment.

Research conducted by archaeologists Donna Seifert (Washington D.C.), David Starbuck (military camps) Thomas Crist and Rebecca Yamin (NYC), Kelly Dixon, Donald Hardesty, and Catherine Holder Spude (mining west) proved to be the most helpful when determining what a 'brothel assemblage' might look like if it existed.

Seifert has pioneered as developing brothel studies as a distinct subfield of historical archaeology according to Barbara Voss (2006: 114). Although she has stated that there is no distinct brothel assemblage type there is enough of a difference to make relationships over time (1991; 1994; 2005; Seifert & Balicki 2005). Her studies demonstrate that occupants of Washington D.C. brothels had a higher standard of living than their working family neighbors towards the end of the 19th century (Seifert 1994).

The Five Points District of New York City was considered the central location for vice not only in the 19th century but also the 18th century (Crist 2005; Gilje 1987; Rice 1983; Yamin 2005). Although studies focusing on this area of the city date roughly sixty years after the bawdyhouse riots of 1793-1799 they are extremely thorough creating a

detailed list of what could potentially be found at one of the brothels involved in the riots together with the documented list of items destroyed during the riots.

During the western expansion of the mid to late 19th century, Boomtowns formed boasting many saloons to entertain miners after their shifts. Excavations have produced information that might have been overlooked in the documentary record. Kelly Dixon's work in Virginia City, Nevada uncovers items tending to be female specific in spaces that were once considered male-only (Dixon 2005). Donald Hardesty and Catherine Holder Spude demonstrate that known brothels tend to deviate from the saloon, family, and all-male occupation sites material culture wise (Hardesty 1994; Spude 2005).

Studies focusing on gender can also be beneficial while queer theory studies might also legitimize the proposal of studying 18th century sexual indiscretions in Williamsburg and the surrounding area. The fact that there are only a handful of studies concentrated on this time period is alarming especially since this is the time period that allowed for the formation of the country. In previous personal research focusing on queer theory, I encountered studies looking for the sexually related 'other' in the archaeological record. This 'other' existed in some format in the past and it was recommended that they should be included in the retelling of history. It may be difficult identifying these particular individuals because of the items they left behind. However, documented studies developed around various ambiguous categories such as culture identity interpreted via ceramics, textiles, and other material goods may be considered false by the people who are in question; but these are considered legitimate fields of study. Therefore studies regarding sexual indiscretions in the colonial capital should be given proper exposure and warrant proper research. By looking at one side of an issue or

to completely ignore an issue, historians and archaeologists are producing biased data and may be glorifying certain aspects of the society being investigated when, in reality, these may have played a trivial role in the lives of the occupants while something more influential may have been taking place.

By investigating sexual indiscretions in 18th century Williamsburg we will be able to gain knowledge about an inescapable aspect of human behavior. Although it is widely believed that the city was not large enough nor demographics permitted the occupation of prostitution, sexual behavior was an every day function of society. Even though most documentary sources do not openly discuss sexual encounters in the capital city, there is enough evidence to create a starting point for future research. Major contributions to anthropological studies relating to gender, politics, economics, health, and power relations are achievable by researching this dynamic subject. The prospect of uncovering an aspect of 18th century life that is a basic concept of human existence is exciting and has the possibility of opening many more doors. Researchers should not be held back by historical documents, but allow material culture to complete the story these documents occasionally highlight.

So what does this all mean for a thesis concerning sexual indiscretions and a lack of readily available sources? Through a focus on documents from neighboring courthouses, personal journals belonging to individuals that frequented the capital during the desired timeframe, newspaper articles discussing other cities, applicable laws, and popular artwork, I believe that certain situations may arise showing a 'seedier' side of the colonial capital and erase the doubt that the city has always been a 'morally' conscious place. Therefore, the purpose of this paper is to begin the investigation and open a

dialogue pertaining to the sexual indiscretions of the people living in Williamsburg during the 18th century.

Methodology

In order to obtain a well-balanced case for further research into the topic of sexual indiscretions of the people of 18th century Williamsburg, different types of documentary works are examined. These include works from the time period along with modern day relevant interpretations of excavations and projects of sites relating to sexual indiscretions. Specifically, regional newspapers, personal diaries, and county court records are used extensively. Unfortunately records from the city of Williamsburg pre-dating the Civil War were destroyed by fire, so court records from York County are all that are available. Poetry alluding to promiscuous women on the outskirts of town is also included due to the relative proximity to the hustle and bustle of the capital. Artwork, which was created in London during the timeframe in question, was observed for societal norms and allowances, while governing laws are looked to for specific regulations. Together with certain archaeological studies, many interpretations and inferences can be made specifically relating to 18th century Williamsburg and topics pertaining to sexual transgressions.

For purposes of this investigation, the 18th century time period was chosen due to the fact that the city of Williamsburg was the capital of the Virginia colony from 1699-1780. The primary focus is on these earlier years due to historical document constraint in regards to court records, rather than focusing on the ‘Revolutionary City’ that has served as the modern-day living interpretation focus of Colonial Williamsburg. To perform a

thorough investigation into this timeframe, a wide range of sources is utilized. This was important because if one were to depend on just one source type or one researcher's interpretations when working on a project with certain social implications and controversial inferences, the final conclusions could potentially be biased and result in improper findings. By broadening the scope of sources, potential key evidence that might have been previously omitted will have an opportunity to show a different aspect of social life in the colonial capital.

For this project, microfilm containing York County records is the primary source for identifying people involved in lewd conduct. With the help from Stuart Flexner's *Listening to America* (1982), key terms are identified and searched for in the Deeds, Orders, and Wills records. The words that are discovered in the text include fornication, bastard child, keeping a married other, adultery, and disorderly house. Research took place over the course of 35.5 hours and was transcribed using the key information of court date, defendant's name, crime committed, penalty for such crime, guilt or dismissal, and any other information that may be used to identify a connection to society (i.e. who is proclaimed to be the father, who paid off the debt, occupation, etc) if available. This information was extracted from records dating from 1702 to 1784, with some years being more complete than others (the most complete records dated between 1774-1784). For workability and comparability, this data was put into a spreadsheet and categorized according to parish (York/Hampton, Bruton, and Charles City). If this information was not obtainable, a general comparison group was created in regards to crime and timeframe.

In addition to the Deeds, Orders, and Wills of York County, the personal diary of William Byrd II was extensively researched. This diary is well known by historians and cited in many publications for an insider's view of the region (Brown 1996; Godbeer 2002; Snyder 2003). William Byrd II (1674-1744) of Westover, VA, is thought to be an important figure in 18th century Williamsburg. He inherited his father's fortune in Virginia, married Lucy Parke in 1706 (who later died in 1716), was a member of the House of Burgesses and the Governor's Council, attended many court sessions, and gives us the pleasure of writing about all of these events (Wright 1941). His diary, written in shorthand, holds a very important perspective of everyday society in the early years of the capital. The transcribed volume that is referenced is Marion Tinling's from the Huntington Library of San Marion, California (Wright 1941). The volume includes a short outline of Byrd's life and some interpretation by those who discovered the document. The reason for the use of this transcription is due in part that the diary is presented as transcribed with as little interruption as possible (every so often there is a footnote offering info about mentioned people of interest). Several key words and phrases identified as signalers for relevance to sexual conduct/indiscretions include 'dancing his dance', 'flourish', and 'rogered'. Whole passages that contained these terms were documented including the date on which they occurred.

There are inherent problems that need to be addressed when using this type of source. The fact that the diary has been transcribed leaves room for inaccuracies and misunderstandings of what the author was actually trying to describe. The author may have had code words for himself even though the diary was for his eyes only, and editors openly admit that Byrd omitted vowels and interpretations of some proper names in

relation to Byrd's relations from other sources (Wright 1941: vii) (i.e. assumptions were made by authors). There are other diaries that may contain relevant information but are not readily available to the public, which includes a diary dating from December 13, 1717 through May 19, 1721 that is in the possession of the Virginia Historical Society (VHS). This diary details Byrd's life in England until 1719. At the time of Wright and Tinling's publication the VHS would not allow quoting or publication of this diary (Wright 1941). An August 10, 1739 through August 31, 1741 diary is at the University of North Carolina Library, which includes letters from 1717. At the time of publication there were plans to publish both the diary and letter book but unfortunately this researcher was unable to obtain copies.

The final sources included in this investigation are newspapers from the time period in order to gain an appreciation for societal norms and acceptances with the hopes that certain affairs in the local region would be noted. The Colonial Williamsburg Foundation has created an easily accessible digital library of The Virginia Gazette with an index of words that are either linked or referenced in the text. Words used by this researcher are prostitutes, strollers, strumpets, doxies, and houses of ill fame. Definitions and rationale for selection criteria will shortly be explained.

For a full understanding of how the documents were examined, definition of key terms is paramount. For the purpose of this paper, sexual indiscretions is being defined as showing a lack of good judgment in regards to social norms of the time period. This could include any act that might 'raise an eyebrow' or cause local gossip to occur that could lead to church sanctions or fines. These acts include, but are not limited to, adultery or 'keeping a married man', fornication, bastardizing, and disorderly house. The

term prostitution (although not the primary focus of this investigation) is being used loosely in the aspect that if there is an exchange of goods or favorable treatment for a certain behavior or service, then one party is in the act of prostituting themselves.

Although this is not a study of linguistics, key phrases that are seen repeatedly throughout the aforementioned sources required additional investigation as to their relevance during the time period in question. Using the work done by Stuart Flexner and Bill Bryson, as well as general knowledge in the field, terms that appear to allude to questionable behavior are being defined as follows:

- Doxy: a girl who travels with beggars (Flexner 1982)
- Strumpet: dishonorable/concubinage (Flexner 1982)
- Bawdyhouse: 16th century term for brothel (D'Emilio 1997)
- Disorderly house: not only a house of prostitution or a brothel, but could mean a house of lewd behavior as in not law abiding activities occurring inside the structure
- Fornication: act of voluntary sexual intercourse between unmarried persons (Godbeer 2002)
- Bastardizing: involvement in the act that could, or has in fact, produced an illegitimate child; could also be sex before marriage or with a person that is not a legal spouse.

These definitions served as a starting point to encompass all acts that might have been deemed as vulgar, profane, and/or imprudent to some citizens of Williamsburg.

Information gathered using the above-described sources along with archaeological studies and histories, provides the foundation for the argument that the investigation into sexual indiscretions is an important topic of study in relation to 18th century Williamsburg and the surrounding area. Although controversial in nature, an understanding of this element of historical societies is an important aspect to all anthropological studies. Statements such as “Colonial Hookers Left No Calling Card” as found in The Virginia Gazette (Vaughan 2008), formulate an unjust conclusion without a

solid archaeological research backing. Although “digging up prostitutes” (Vaughan 2008) is indeed a difficult task, it will serve to further strengthen our understanding of perceived societal normative behavior.

The following question can now be posed, what type of material evidence is needed to observe these individuals in the record? According to David Starbuck (1994), it is challenging enough to decipher information in the archaeological record not related to issues of a sexual nature or if there is even a way to gender artifact owners, let alone decipher information related to the perceived illicit behaviors. Working with various documents to come up with a strategy to help identify “colonial hookers” (Vaughan 2008) is possible, and warrants thorough investigation. What follows is a detailed account of what can be extracted from historical records and other studies, and how that information can be used to unveil something that may have otherwise only been previously addressed through anecdotal assumptions.

By observing prostitution in other colonial capital cities, the public reaction to these individuals and laws created in regards to transgressions of the sexual nature archaeologists can create a starting point for where a study in Williamsburg should begin. Many colonists received their news and experience by way of these cities. Travel to and from other areas of the colonies involved stop-overs in locations that might be mentioned below. Williamsburg was not isolated, it was a bustling governing city. Events that took place across the land and water were transmitted back to the colonial capital of Virginia and it is important to investigate its fellow governing centers. The first of which created many of the laws citizens of Williamsburg lived by each and every day for most of the 18th century.

London

To colonists, London was the major governing metropolis. This is where many of the rules and regulations that people had to live by each and every day were created. Many colonists still had close family ties to the motherland, while others received their formal education there. Some of these individuals frequented England on a somewhat normal basis while others made just a few trips or a single one (William Byrd, Peyton Randolph, Benjamin Franklin, and Thomas Jefferson just to name a few notable figures who travelled to London). Some of these individuals must have been aware of the activities taking place in the city of London.

At the beginning of the 18th century, London was a bustling city of 674,000 comprised of merchants, travelers, legislators, and the working class (Henderson 1999). With a growth in the city's population came an increase in the number of entertainment facilities and their related undesirable activities. And with this growth came signs from the rest of society of a degrading tolerance towards these undesired activities. Prostitution as an occupation became on par with occupations of the domestic service and clothing trades; prostitutes lived on the same streets, in the same buildings and even in the same houses as non-prostitutes (Henderson 1999: 45). One could ask, where did these women come from and why did they end up as prostitutes? According to Tony Henderson's PhD research they were coming from the poorest families with little skills to exit poverty (Henderson 1999: 14). Part of his research is based on an interview study conducted in 1758 by John Fielding. Fielding found that prostitutes were between the ages of 15-27 (age 19 being the most common); most entered the trade in their late teens/early twenties; and most were born into poverty outside London, were orphaned or

abandoned and independently made the choice or were economically forced into the field (Henderson 1999).

Numerous stories of prostitution were conveyed to the colonies in the form of letters to friends, family and the general public through The Virginia Gazette. Negative images were drawn from entries like this one published on August 22, 1771:

Sunday Night, between eleven and twelve o'clock, some common Prostitutes knocked down a Gentleman at the End of Creed Lane, Ludgate Street, which fractured his Scull, and a great Quantity of Blood issued from the Wound. Before he could recover himself they rifled his Pockets, in which were three Guineas, some Silver, and a Handkerchief, and then ran off; but some People, hearing his Cries, came to his Assistance, pursued the Women, took two, and conducted them to the Compter. The Rest made their Escape. (Purdie & Dixon #1047 pg 1)

While it was made clear no one was safe from the 'detestable' occupation in a letter published in the August 8, 1771 edition of The Virginia Gazette. The next letter reveals people in high positions being caught in sexual indiscretions, sneaking into or out of windows of places of ill fame, and one high ranking man happening across his own wife in an apartment, (Purdie & Dixon #1045 pg 1). And a sense to reform regulations can be drawn from this November 9, 1769 news piece:

It is grievous to walk the streets at twelve o'clock at night, to see so many unhappy fine girls pulling at every man passing. The Magdalen is a reception for many, but few in comparison to those that would be glad to be relieved from so detestable a life. Instead of sending them servants into the world again, if a sum of money was given as a portion, and they were married from the House, it would save many from returning to the streets again. (Rind #183 pg 2)

Although mostly negative, a positive story from London such as this one "A little harlot, who lately sold oranges under the piazzas of Covent Garden, has been left an estate of twelve hundred pounds a year" received attention in a September 2, 1773

Virginia Gazette supplement (Rind pg 1). Perhaps this additional account is proof that “prostitutes, both individually and collectively, were perhaps as much as accepted part of plebeian London as any other identifiable group” (Henderson 1999: 44) or perhaps this individual was a success story from the aforementioned London’s Magdalen Hospital for the Reception of Penitent Prostitutes, which was a place where women could be reestablished into the more accepted fields of washing, needlework, housework, servitude, etc. (Henderson 1999; Rind #183).

The American colonies received much of their rules and regulations from this governing metropolis. Laws enacted and scientific discoveries would eventually make their way across the ocean. In order to understand fornication laws observed and later constructed in the American colonies British law should be addressed. When the colonists were establishing Jamestown, the worst offence in England for Puritans was fornication. Churchwardens would be in charge of singling out the offenders who would then be punished with a public whipping and/or procession in church wearing a white sheet carrying a candle (Henderson 1999: 84). As time passed punishment became more severe and in 1650 judgments of incest and adultery involved death sentences, fornication could equate to three months in prison, and brothel keeping involved whipping, branding a B on the forehead and three years in prison (Henderson 1999: 85) however, there was little enforcement. Towards the close of the 17th century the British were following Secular Law and on February 4, 1674 the House of Lords produced the first docket to include the terms lewd and strumpets (Turner 2002: 1).

Instead of criminalizing prostitution an idea of legalizing the occupation was put on the table. The current laws and regulations were not suppressing anything. People

were still engaging in fornication and money was exchanging hands. The idea of legalization was first brought up in Southwark Stews that would introduce policed brothels (Henderson 1999: 99), but was later made famous by Bernard Mandeville.

A Modest Defence of Publick Stews written in 1724 by Mandeville outlined a plan to legalize prostitution in order to maintain order in the streets of London (Henderson 1999; Mandeville 1724). If the occupation were made legal police officers would be able to have control over it. As he points out, the greatest problem with prostitution is disease (Mandeville 1724: 55) but he does not condone private whoring (Mandeville 1724: 60). The plan he proposed is this:

Let a hundred or more Houses be provided in some convient Quarter of the City, and proportionably in every Country Town, sufficient to contain two Thousand Women: If a hundred are thought sufficient, let a hundred Matrons be appointed, one to each House, of Abilities and Experience enough to take upon them the Management or twenty Courtezans each, to see that they keep themselves neat and decent and entertain Gentlemen after a civil and obliging Manner. (Mandeville 1724: 60-61)

There would be four different ranks and degrees of houses in which each would have a different starting rate, each would be able to serve alcohol and disorderly men would not be allowed to enter (Mandeville 1724: 61).

In regards to the prostitutes' health an allotment of two doctors and four surgeons would be designated to each house free of charge (Henderson 1999: 100). If women were discovered as contracting a disease the entire house would be shut down, this closure, if well regulated would be able to protect against the potential spread of that disease amongst the rest of British society (Mandeville 1724: 64). One problem with the business is the risk of producing a child. Under Mandeville's Stews infanticide would

not be tolerated, in fact a pregnant prostitute would be brought to an infirmary where she would deliver the baby (Mandeville 1724: 69).

Mandeville believed that if stews were put into place whoring would be limited to certain areas and prevent “debauching of modest Women” (Mandeville 1724: 75).

Why, truly, by mere dint of Reforming, we have reduced Lewdness to that pas, that hardly one Batchelor in the Kingdom will lie with a Woman, if he is sure that she's not sound; and very few modest women will suffer a Man to get them with Child, unless he makes a Promise to marry. In short, the Truth is, we are in this present Writing as bad as we can be; and I hope I have fairly shown how we may be better. (Mandeville 1724: 98)

The mid 18th century entranced many new acts: in 1735 the Watch Acts were developed to keep peace and order in the city streets while the Gin Act of 1743 and 1751 limited the selling of spirits in taverns, inns, coffeehouses, and alehouses with the appropriate license (Henderson 1999). Although Mandeville's Publick Stews were not put into place, the governing power did try to repress unwanted behavior with the Vagrancy Act of 1744. This act allowed search warrants to seek out disorderly women, bring them to court, and only the court could punish these individuals; these searches would be limited to four times a year (Henderson 1999: 92). However, none of these new acts were capable of controlling the lewd behavior. Tensions were running high in London while authority figures were losing control over the streets.

In 1752 a new act was put into place in hopes to regain order. The Disorderly House Act of 1752 was to go after houses deemed as being a nuisance, corrupting proper manners and disturbing the peace (Henderson 1999: 91). The possibilities of this act were not only apparent to Londoners but were passed on to the colonies.

May 28. On the Firft of June, according to Act of Parliament, the vigorous Profecution againft the Houfes of ill Fame is to commence; the

Justices have now more Power in their Hands to Suppress them, and the virtuous Part of Mankind are in Hopes of finding our Streets clear of those Nuisances to Society. To suppress the Receptacles of Lewdness entirely, in a Place at once so numerous and opulent as this, is impossible; but it is greatly in the Power of the Constables and other Officers of the Night, to stop the wandering Stars in their Progress for every Creature so abandoned as to walk the Streets, carries in her Air, Dress, and Behaviour, the Marks of Prostitution so very strong, that a Man any Way acquainted with the Town, can scarcely mistake them. It is from these Wretches that the Calamities of Incontinence are chiefly derived; while People are walking soberly Home to their Houses, and without any Thought of Lewdness, those Enemies of the Species, entrap them as they walk, excite them by affected Blandishments to accompany them Home, and then inflame them to a dangerous Embrace. By these Means the Bodies of our Youth are enervated, their Minds dissipated in luxurious Pleasures, and a general Spirit of Profaneness and Irreligion lays the Foundation of ruining our State. (Hunter Sept 29, 1752, #90 pg 1-2)

Unfortunately for individuals hoping the Disorderly Act of 1752 would solve all issues of prostitution and bawdyhouses, the act only applied to the immediate city of London (Henderson 1999: 148). Also if a house of ill fame was run in a quiet and acceptable manner it was not deemed disorderly in the sense; therefore, the keeper or tenants would not need to go to court since they were not actually disrupting the peace of the neighborhood (Henderson 1999: 93). In order to be regarded as a disorderly house, which was not limited to bawdyhouses, two complaints would need to be filed with the city watchmen. If individuals and houses constrained their business they could be overlooked completely by these watchmen (Henderson 1999).

These laws and regulations were much talked about and referred to by colonists as seen in issues of The Virginia Gazette. The fact that many of these laws were looked to in governing the American colonies leaves room to question if transgressions of the sexual nature were taking place. The first colonial city that will be discussed saw its fair

share of sexual indiscretions. New York could perhaps be the poster child for a city filled with vice.

New York

As a Dutch colony, the colonists of New Netherland and the city of New Amsterdam were allowed to follow very relaxed laws compared to the British colonies. There were no limitations to the number of drinking establishments, which in turn could have caused the increase of alcohol abuse and disorderly behavior that did not go unnoticed by travelers and residents (Rice 1983: 29). However, in 1662, New Netherland did have a law put into place to prevent people from pawning family possessions to buy alcohol (Rice 1983: 29). When New Netherland was claimed by the English in 1665 new laws were prescribed but were similar to the Dutch ones they replaced and did little to help unruly behavior (Rice 1983).

It was not but twenty years later when there was an outcry for change: “The loathsome and Odious Sin of Drunkenness... being the root and foundation of many other Enormous Sinnes as bloodshed stabbing murder swearing fornication Adultery...” (Rice 1983: 100) in 1685 stricter laws were enacted to curtail some of the wild behavior (Gilje 1987).

At the start of the 18th century New York, formerly New Amsterdam, had a respectable population of roughly 5,000 inhabitants; this number reached close to 25,000 by the time the Revolutionary War broke out (Gilje 1987; Rice 1983). Many of these individuals were mariners and laborers who worked on the docks during the day and frequented grog shops and bawdyhouses during the night (Gilje 1987).

“Prostitution was uneasily accepted as a part of seaport life” (Gilje 1987: 85) as men were expected to blow off steam, men knew where to go and knew the magistrate would not become involved unless an exceptional case came to light (Gilje 1987; Rice 1982). By the 1740s the New York City Battery was infested with prostitutes (Flexner 1982).

Prostitution helped by maritime trade, reached epidemic proportions in the late 18th century. Elizabeth DeHart Bleecker, a resident near the troublesome wards was not happy that sailors and girls continued to show up at her house in hopes a tavern was still located within (Rice 1983: 33). Bawdyhouses in New York City were being attacked in defiance to British soldiers in 1765 and were at the root of riots towards the end of the 18th century. The beginning of the bawdyhouse riots of 1793-1799 began at the house of Mother Carey located between the third and fifth wards on the northern end of the city. A young woman, seventeen years old, was lured into the house and raped by a rich man who was later acquitted of any wrongdoing (Gilje 1987: 88). Six days later on October 14th an angry mob began to throw stones at Mother Carey’s bawdyhouse; the rioters striped the roof of shingles, destroyed beds and other furniture, gun shots by police officers could not stop the revolt (Gilje 1987: 88). An article in a local journal dated October 16, 1793 has the headline “‘An Airing’ The Night before last Mother Carey’s nest of CHICKENS ... was sadly interrupted by about 600 enraged citizens” (Qtd in Gilje 1987: 90-91) mentioning that petty coats, smocks, silks, a downy couch, and feather beds had been thrown from the windows of the house; later that night police were called back into the streets near Warren/Murray (Gilje 1987).

A total of seven individuals were arrested in the aforementioned riots of 1793; the riots of 1799 saw forty-five arrests. A murdered man, last seen at a bawdyhouse on the

streets of Murray and Greenwich, was carried to the west and thrown into the Hudson River (Gilje 1987: 89). Rioting began on July 17th and continued for four nights involving 800-1000 rioters. Unlike the riots at Mother Carey's, no shots were fired and out of the forty-five arrested, fourteen individuals were identified as tradespeople (Gilje 1987: 89).

New York City's problem with vice is well documented and much of the 19th century Five Points District (near the ward of the above mentioned riots) has been excavated to reveal several documented houses of ill fame. As a port city, New York might have had more in common with the City of York (Yorktown) and although New York City was not a governing city and grew to be exceptionally larger than the city of Williamsburg, it still contained many of the same types of entertainment facilities and military outlets that may not have been noticeable until the Revolutionary War.

Philadelphia

Another colonial city that might shed light on sexual indiscretions in the 18th century is the city of Philadelphia. The area around what would become the first capital of the United States was settled as New Sweden in 1638. The city remained as such until 1655 when it was absorbed into New Netherland, but New Netherland (later renamed Pennsylvania) would not become a British colony until 1682 (Rice 1983). Perhaps the exchange in leadership/governing power allowed for lewd behavior to go unnoticed and in turn allowed it to grow exponentially to the point legislature needed to take steps in 1697/98:

As to the growth of vice, wee cannot but owne as this place hath growne more populous, & the people increased. Loosness & vice Hath also Creep in, which wee Lament... As to Ordinaries, Wee are of the opinion that there are too many in the governmt, especiallie in philadelphia, wch is one great cause of the growth of vice, & makes the same more difficult to be supprest & kept under. (Qtd in Rice 1983: 30)

By 1757 Philadelphia was home to 120 taverns (Rice 1983: 31), British Barracks that were notorious for housing lower members of society, runaways and prostitutes (Lyons 2006: 110) and cave-like bawdyhouses along the banks of the Delaware River (Flexner 1982: 449; Lyons 2006: 110). The population would reach over 21,000 by 1776 (Rice 1983: 31), just large enough to hide even male-male intimacy (Benemann 2006: XVI). Documentation of sexual indiscretions is however difficult to uncover; during her research Clare Lyons noticed that the community in question was more concerned over the violence of sailors instead of the prostitutes involved or their business when she researched 1760s articles from *The Pennsylvania Gazette* (2006: 108). She found that prostitution was only documented if another crime was committed and/or involved (Lyons 2006). Much like the newspapers, court records also give details about sexual indiscretions only when a 'real crime' is committed (Lyons 2006: 109).

With the use of court records, ledgers and church minutes, Lyons is able to reveal a total of 264 sexual transgressions documented as being committed between 1750 and 1779. Bastardy cases make up the bulk of the transgressions with 165 being simple cases, seven involving infanticide and one abandonment. Some of these convictions were based in Quaker law: twenty-two premarital sex cases, thirteen marrying outside the meeting cases, and two consanguineous marriage cases (Lyons 2006: 400). The remaining cases include fornication (15), disorderly house (12), improper conduct (10),

keeping bad company (8), adultery (5), bigamy (4), rape (4), keeping bawdyhouse (2), abduction for prostitution (1), and 1 case of luring/prostitution (Lyons 2006: 400-401).

To sum up the atmosphere regarding sexual indiscretions in colonial Philadelphia:

Prostitution, it seems, thrived in the city's emerging pleasure culture of the 1760s... the 1760s displays prostitution in every district of the city. The bawdyhouse of Constable Campbell's raid was on the south side of the city on Society Hill; Mrs. Bartram's assault occurred on Front Street in Southwark; Andrew Henry procured a prostitute on High Street in the city center at the market; and in the Northern Liberties the British Barracks was the site of illicit activity. (Lyons 2006: 110)

Sexual indiscretions occurred on a normal daily basis, reports of these occurrences are closely tied to more significant law violations. Unfortunately, unlike New York, there are few archaeological excavations conducted on known bawdyhouse/brothel sites. Then again, this could also be a result that many of these places are undocumented due to the lack of excessive violence occurring at these establishments. Perhaps this should be another location for a sexual indiscretion archaeological investigation.

New England

Virginia's sister colony of New England was inhabited by a different type of colonist. These settlers were not necessarily focusing on the potential wealth the New World could contain, many of them left England for religious reasons. They more often came over as family units instead of indentured servants and criminals being sent over to work the lands of Virginia. Even though they might have had different beginnings, a great portion of everyday life was much the same.

European ideals were forced unto New England natives, as it was believed that 'civility' needed to be introduced to the Native Americans through the action of laws

preventing polygamy, divorce, experimentation, fornication and other transgressions (Plane 2000). These laws, although enacted in the Waban and Squamock magistrates, might have been introduced to help quell sexual indiscretions committed by the Puritans themselves. Travel narratives, missionary writings, diaries, sermons, and early histories reveal stories of sexual transgressions amongst the northern colonists.

According to research conducted by Thomas Foster, the contraction of a venereal disease was used as grounds to accuse a spouse of cheating on them in order to pursue a divorce. Early colonists also give credit to gossip and hearsay to exposing adultery (Foster 2006: 38). Men went to friends and doctors for treatment of diseases, especially 'French disease' that is often discussed in early histories (Foster 2006: 39). Personal writings of literate men also expose births, marriages, marital discord and splits in which gossip helps protect or destroy a person's reputation amongst their neighbors (Foster 2006).

There were more improper transgression convictions in New England than in any other colony (Snyder 2000: 55). The laws that were in place were brought directly over from England prior King James II and in New England adultery was a common law offence (Woolston 1921: 23). Laws were developed to suppress uncontrollable human passions including fornication, bawdyhouses, 'night-walking', and adultery through fines, the whipping post, jail, and the scarlet letter (Woolston 1921). With concern of his congregation's transgressions a minister in Roxbury, Massachusetts defines fornication as involving oneself in unmarried sexual relations, adultery, incest and masturbation in a sermon, hoping to alleviate cases (Godbeer 2002). Rumors of Boston being overrun by

prostitutes only fifty years after the Mayflower and Newport, RI having streetwalker problems in the 1720s must have had many citizens weary (Bryson 1996; Flexner 1982).

The city of Boston was home to many sailors. As previously discussed in regards to the cities of London and New York, seaports were known hot spots for sexual indiscretions. Taverns and ordinaries along with high populations are key ingredients in creating a city of vice. By 1756, there were thirty-six taverns in the city of Boston and a population of 17,000 by 1776 (Rice 1983: 31). Many wives of sailors kept and entertained mariners along the streets of the seaport and operated disorderly houses (Godbeer 2002: 22).

Although the above is a short overview of London and some of the major cities of the colonies and documented instances of sexual indiscretions in these cities, this overview proves that there is a possibility that sexual indiscretions occurred in the city of Williamsburg during the 18th century as well. Studies show that acts of prostitution were not necessarily documented unless a major act of violence occurred simultaneously or people came forward with complaints of adultery for divorce purposes. With this in mind it is time to create a case for the city of Williamsburg.

The Case for Williamsburg

Jamestown may have been the first English settlement in the New World, but as time went on many of the settlers ventured off the island and formed farming lands inland. One of these newly formed plantation sites was named Middle Plantation and blossomed in 1633 when it was established as an outpost against Native American attacks (Krocher 1971). Over the next few years as the popularity of Jamestown being the

central governing body decreased and it was decided that the capital would move in 1699 to Middle Plantation. Middle Plantation was renamed Williamsburg in honor of King William III (Kocher 1971).

Williamsburg started its reign as the capital with just a few small buildings and a small college. With the new demands of running the colony, structures such as Bruton Parish, the Governor's Palace, the Wren Building, and the Capitol itself became the focal points along with a bustling market place. The capital architecturally resembled a small town in England rather than a governing metropolis like London or the newly established Boston, New York, and Philadelphia (Kocher 1971). Although the population never exceeded 2000 (Gill 2001; Kocher 1971) the town hosted all the delights the larger cities boasted. Williamsburg was the place to be with its shopping, merchant meetings, legislature, education and entertainment (Sturtz 2002). Taverns and ordinaries were some places that townspeople and travelers could find entertainment and of which seedier activities are known to have occurred historically. In the capital city a few women ran some of these establishments (Sturtz 2002) and many of these women might hold the key to researching 18th century sexual indiscretions.

It being found, by experience, that a temporary imprisonment of prostitutes is much more dangerous than beneficial to the community, we are informed that a power will be vested in the magistrates to transport the most wicked and abandoned to the new acquired settlements in America, where white servants are greatly wanted. (Purdie & Dixon #883 Pg 1)

The above news article published on April 21, 1768 in The Virginia Gazette gives reason to believe many women in Virginia had a former life as a prostitute. Planters were in need of help on the plantations and often turned to servants with a criminal past. It was thought that disorderly women could be rehabilitated from their past criminal lives in

England with the help of genteel plantation masters in Virginia (Synder 2003: 15).

Although there is no mention of prostitutes being arrested in Williamsburg in the 18th century (Vaughan 2008) there is enough evidence in other documentation to show an abundance of sexual indiscretions committed while Williamsburg was the capital.

For instance, on April 22, 1709 William Byrd records being with Colonel Smith past midnight in Williamsburg and running into a Mistress H-l-y who Byrd describes as “a great instance of human decay” (Qtd in Wright 1741: 25). This woman, only known as Mistress H-l-y, could very well have been involved in sexual transgressions that society may not approve and only mentioned in Byrd’s personal writings. Unfortunately, if this woman was ever prosecuted for her behavior we will never be able to read about it in court records since the Hustings records were destroyed during the Civil War by fire.

During the American Revolution it was well known that mistresses existed and they were generally an accepted part of society. Officers in the militia would sometimes write about their unsavory reputations and there would be periodic checks for venereal disease amongst the women followers (Starbuck 1994). In some cases, women had jingles written about them, including the wife of a junior officer, Mrs. Loring who was well known to be the mistress of General William Howe:

Sir William, he, snug as a flea,
Lay all this time a-snoring
Nor dream’d of harm as he lay warm
In bed with Mrs. Loring (Qtd in Starbuck 1994: 119)

Seeing as the city of Williamsburg was a major component in the American Revolution, it is unlikely that these camp followers stopped their activities once the fighting began in the city.

The following is an excerpt from ‘An Act for Punishment of Blasphemy, Fornication, Adultery, Prophane Swearing, and Cursing’ passed during the June 29 – July 22, 1699 proceedings of the General Assembly in Maryland.

Every person or persons Comitting fornication and being thereof Convicted shall for every time so Offending be fined (by the Court before whom such Matter shall be brought) to his Sacred Ma’y in the Sume of Twenty Shillings Sterl or four hundred pounds of Tobbacco to be leavied &c. for and Towards the defraying the County leavy where Such fact shall be Comitted or receive Corporall punishment by whipping att the discretion of the said Court not Exceeding thirty nine lashes and that every Person or Persons Comitting Adultery and being thereof Legally Convict shall be fined as aforesaid for the uses afd in the Sume of fourty Shillings Sterl or Eight hundred Pounds of Tobbacco to be leavied as aforesd or receive Corporall Punishment as aforesaid And be it further Enacted by the Authority aforesd by and with the Advice and Consent aforesaid that every person or persons who shall harbour Enterteine and Provide for the Maintenance of any Lewd woman or women or frequent her to their Companys or the Company of any Lewd woman or women after Publick Admonition to avoyd the same given by the Ministers or Church Wardens or Vestry of the Parish or Parishes where Such person or persons Dwell and in Case there be no Ministers by the Church wardens of the Same or Vestry aforesaid shall for every time it shall be proved that he she or they shall Cohabit together or frequent the Company of Each other after such admonition Given as aforesaid undergo Such pains and Penaltys as is by this Act Provided for such who are Legally Convicted of fornication or Adultery (Qtd in Meyers & Perreualt 2006: 190)

The fines might be different but the language would be similar to those put into place by the General Assembly of Virginia. In the case of Maryland, the act against fornication and adultery was put into place forty years after the act against servants having bastards:

Whereas divers women Servants wthin this Province not haveing Husbands living with them, have bene gotten with Child in the tyme of their Servitude to the Great dishonnor of God and the apparant damage to the Masters, or Owners of such Servants, and no lawe yet provided where that damage shalbe recoverable. For remedy whereof Bee it Enacted by the Lord Proprietary, by and with the consent of this present Gennerall Assembly, That Every such Mother of a Bastard Child not able sufficiently to proue the party charged to by the begetter of such child, in every such case The mother of such Child shall onely be lyable to satisfie

the damages soe sustained by Servitude, or other wayes as the Court before whom such matter is brought shall see convenient Provided that where the mother of any such child as aforesaid shalbe able to prove her charge either by sufficient testimony of wittnesses or confession Then the party charged, if a Servant to satisfie halfe the said damages, if a freeman then the whole damages by Servitude or otherwise as aforesaid. And if any such mother as aforesaid be able to prove by such testimony or confession as aforesaid that the party Charged (being a single person and a ffreeman) did before the begitting of such Child promise her Marriage, That then he shall performe his promise to her, or recompense her abuse, as the Court before whom such matter is brought shall see Convenient, the quallity and condition of the persons considered. (Qtd in Meyers & Perreualt 2006: 185)

‘An Act Concerning Servants That Haue Bastards’ passed in 1658 and is similar to the consequences we will see during the early years of the York County records. Both of these Maryland laws have the same framework as laws in place across the colonies. The fact that these laws were in place shows that behavior by the colonists warranted such action.

Although the churches and court systems in Virginia prosecuted sinners for the same crimes as the northern colonies, “New Englanders monitored sexual crimes more extensively and more systematically” (D’Emilio 1997: 11). Perhaps lewd behavior in the southern colonies, and Williamsburg in particular is difficult to uncover because of these practices. However, there are examples of lewd people in the nearby area including an arrest in nearby Edenton, North Carolina:

On Saturday night, very late, one Arthur Campbell, a constable, hearing a fray near a houfe of ill fame, in the neighbourhood of this city, went with a companion towards the place; whereupon they were affoulted in the moft furious manner by a number of [*smudged*], armed with bludgeons, who wounded Campbell in fo terrible a manner that he died yesterday about one o’clock. Several other people were knocked down, and very much bruifed, by the fame gang. Five of them, being the principle, are taken and committed to jail. (Purdie & Dixon #945 pg 3)

A Gentleman mentions his horse being taken by a man traveling with his doxy from Chesterfield to Gloucester County (Hunter #248 pg 3). Another man put in an ad to find his missing servant who was last seen with a strolling woman heading to the Northern Neck (Hunter #93 pg 2). Due to the occurrence of these documented events in Virginia or very close by, it is necessary to investigate the court records of York County, which begins across the street from the colonial Capitol building.

York County Records 1702 - 1784

Virginia courts during the colonial time period were a place for monthly forums of litigation. On court days, townspeople would gather around the steps to hear the most recent gossip and visit ordinaries to learn about case verdicts. Although many cases were recorded, many routine confessions were not considered important enough to jot down (Snyder 2003). That being said, is it possible to learn about sexual indiscretions from court records?

October 19, 1709

About 10 o'clock we went to court where a man was tried for ravishing a very homely woman. There were abundance of women in the gallery. I recommended myself to God before I went into court. About 1 o'clock I went to my chambers for a little refreshment. The court rose about 4 o'clock and I dined with the Council. I ate boiled beef for dinner. I gave myself the liberty to talk very lewdly, for which God forgive me. (William Byrd II Qtd in Wright 1941: 95)

While there are no physical records known to have survived from the Hustings Court, personal notations from diarists like William Byrd II allude to cases in Williamsburg while a variety of sexual transgression cases do survive from the York County Records.

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid adultery	2	.8	.8	.8
bad mother	1	.4	.4	1.2
bastard child	159	66.0	66.0	67.2
bastard child pay	9	3.7	3.7	71.0
disorderly house	11	4.6	4.6	75.5
disturbing peace	2	.8	.8	76.3
fornication	29	12.0	12.0	88.4
living in fornication	5	2.1	2.1	90.5
mulatto bastard	20	8.3	8.3	98.8
ordinary license	1	.4	.4	99.2
Strollers / Vagrants	1	.4	.4	99.6
unknown	1	.4	.4	100.0
Total	241	100.0	100.0	

Table 1: York County Records 1702-1784 Sexual Transgression Cases

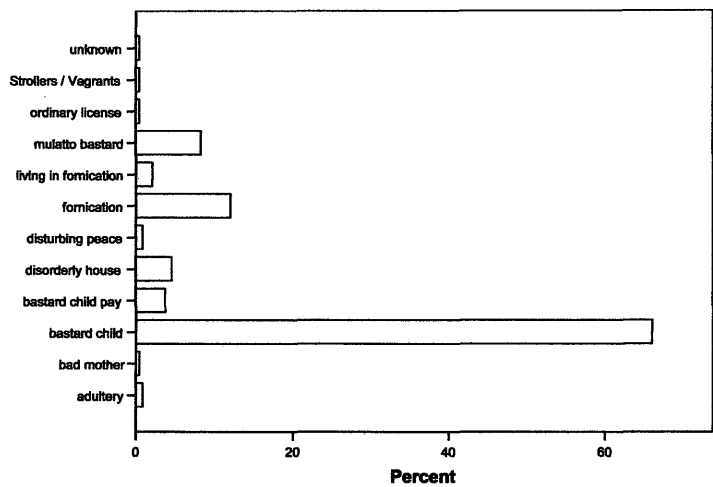


Figure 1: Graph of York County Records 1702-1784 Sexual Transgression Cases

During the mid 18th century roughly half of York County was enslaved (Snyder 2003: 9). These servants and slaves would be unable to hide the fact if they became pregnant from their masters who during this time period needed to give their permission. Often many white women tried to marry quickly to cover up their growing stomachs to avoid fines, whipping, and other punishments. If caught, white women were unlikely to win their cases in 17th century court systems causing their reputations to be tarnished if they did not appear in court to try to clear their names (Snyder 2003). As Mary Beth

Norton notes “reputations were sustained and lost in the early colonies primarily through gossip” (Qtd in Snyder 2003: 59).

An early occurrence where gossip had a pivotal role in and out of the court room took place in a 1692 rape case involving Elizabeth (Betty) Hansford Burt. After accusing John Eaton of forcing himself on her instead of willingly committing adultery, Burt visited a French ordinary outside the courthouse with her husband and child and told her side of the story (Snyder 2003; Sturtz 2002). Her efforts won her sympathy and the court found her in favor of the resulting defamation suit (Snyder 2003). Burt’s case survives in part to the fact of its complexity. In colonial times, rape was considered to be an encroachment against a master or husband’s property rather than a crime against women (Snyder 2003). In the York County Records 1702-1784 instances of rape were not easily found and therefore are not included in the following discussion.

Adultery Cases

Much like the case of Elizabeth Burt, adultery accusations carried a lot of weight in determining a person’s reputation. Men and women were treated differently in these cases during the 16th and 17th century Virginia. During this time period women were considered to be a man’s property, and adultery, like rape, was considered to be a property violation instead of a moral offence (Snyder 2003: 71). However, over time, it became a serious transgression and became equal in severity with fornication, which by 1642 involved penance wearing a white sheet in court or church.

New laws written in 1691 and 1696 had adultery no different than swearing, cursing, fornication and blasphemy. Fines in 1691 were set at 20 pounds sterling, 30

lashes on the bare back and three months in jail and fines in 1696 were set at 1000lbs tobacco and 25 lashes (Snyder 2003). In order to be prosecuted, two witnesses needed to step forward and give testimony and in most cases husbands sued for damages (Snyder 2003: 77). Between 1640-1740 there were five adultery presentments: three cases involving couples and a case apiece for women and men being the accused. One of these cases involves Mary Burton of Bruton Parish. On December 20, 1714 Burton's adultery case was dismissed after months of continuation on the account that Mary Burton no longer resided in York County (DOW (14) 355 entry 3060). After twelve years without an adultery case, the trial of Matthew Hubbard took place. Hubbard was acquitted on February 17, 1752 due to a technicality; during his trial the jury was only able to hear testimony from the York Hampton Parish churchwarden. Ann the wife of Lawson Burfoot did not show up as the second witness forcing the jury to dismiss Hubbard's case and to fine the witness 300 lbs tobacco to the warden unless she showed good cause for not appearing (JO (2) 19 entry 62).

Bastard Child Cases

Unlike cases of adultery, accusations of having a bastard child did not need to have two witnesses to prosecute. In 1664 the English Council for Foreign Plantations proposed that all bastard children of white servants/slaves be bound to the master and the mother serve extra years of servitude (Woolston 1921: 9). The law of 1691, which outlined adultery as being the same offence as fornication, included issues regarding interracial sex. Wording was revised in 1705 to have negro, mulatto and Indian men to be included in the description of man of color; 15 pounds sterling or five years of

servitude would be the punishment for women bearing these type of children out of wedlock (Brown 1996; Snyder 2003). Prosecution jumped from <7% to 29% from 1680-1709 (Brown 1996; Snyder 2003: 53). Starting in 1727 the punishment for having a white bastard child no longer entailed an extra year of servitude; the levy would be 500lbs of tobacco to the churchwardens of the respective parish or a public whipping. The heads of households had to report all births inside the house otherwise they would have to pay the fine (Snyder 2003).

Between 1702-1784 a total of 188 cases involving children out of wedlock occurred in York County. Of these cases twenty involved mulatto bastards requiring the mothers to endure extra years of servitude to their masters or to pay 15 pounds sterling to the churchwardens of their respective parishes. The other 164 cases involved white children who needed to have 500lbs tobacco or 50 shillings security collected so that they would not be a burden to the respective parish. If the mother was unable to pay the fine and no one would step forward to give security for the child the mother was sent to the whipping post to receive 25 lashes on her bare back.

To avoid punishment many women tried to leave the county. Judith Moody was summonsed on February 25, 1708 to answer questions regarding having a bastard child but she never showed up to court (DOW (13) 120 entry 1181-2) giving reason to believe she left the county to avoid prosecution (Snyder 2003: 53). Some individuals disappeared after giving birth. French Mary was summonsed to court on June 17, 1728 to answer fornication charges (OW (16) 527 entry 3606). Instead of attending court, French Mary gave birth in the house of Thomas Sheppard and absconded, leaving Sheppard to be prosecuted in her place (OW (16) 535 entry 3674). Churchwardens of

both the York Hampton and Bruton Parishes presented information against Sheppard and he was summonsed to court for his newly placed fornication charges and bastard child pay (OW (16) 540 entry 3725; OW (16) 544 entry 3775). However, we do not find out the results from his trial that is suppose to take place on January 20, 1728/29; the last entry in the court records states that his trial is to take place (OW (16) 560 entry 3930).

Fornication Cases

Runaway offenders sometimes received help from local authorities. In a February 24, 1706/07 fornication case Barbara Hutton was summonsed but never showed up to court. An order was taken out against George Baskerville, for her not appearing in court (DOW (13) 76 entry 682). When Hutton did not appear at the August 5th session, Thomas Mountfort was ordered to produce the assailant or he would owe 500lbs tobacco (DOW (13) 85 entry 771). On September 24, 1707 Thomas Mountfort paid the fine to the churchwardens of York Hampton Parish and Hutton was confirmed to be a fornicator in her absence (DOW (13) 93 entry 872; Snyder 2003).

Twenty-seven women and seven men were accused of fornication or living in fornication between 1702-1784 in York County. A total of thirteen individuals were found guilty to these offences, others might have been as well but they were able to pay the fine ahead of a court trial to protect their reputation. Other individuals might have successfully left the county before being summonsed or committed the offence outside the court's jurisdiction. One such example of this is Anne Weathers' March 24, 1703/04 case being dismissed due to the action not being committed in the colony (DOW (12) 200 entry 1093).

Fornication offences warranted a levy of 500lbs tobacco, extra time in servitude, or 25 lashes on the perpetrators bare back. Unlike children out of wedlock though, the offender would need to confess to the offence, a child would need to be produced, or there would need to be eye witnesses in order for there to be a conviction. Cases in which the offender was found not guilty due to insufficient evidence include the July 24, 1707 John Loynes case and the June 17, 1717 case of Francis Sharp. Loynes was presented to the grand jury for keeping a whore and absenting himself from church. Due to the lack of evidence and no witnesses coming forward in regards to the fornication charge, Loynes was found guilty of the absenting charge and was fined 5 pounds sterling or 50lbs tobacco to the Bruton Parish churchwardens (DOW (13) 83 entry 743). Sharp's case involved being accused of having children with his deceased wife's sister. He pleaded not guilty, was found not guilty by the grand jury, and the prosecution was discontinued (OW (15) 126 entry 668).

A child was produced in the November 24, 1705 case against ordinary keeper Phillip Moody Jr. of Hampton Parish. Mary Packer had previously proclaimed he was the father during her court session. Moody did not show up for court and was ordered to be taken into custody and give security for the child (DOW (12) 377 entry 2192).

In regards to fornication confessions the cases of John Comes and Ann Green are excellent examples. Comes confessed to living in fornication on July 24, 1707; he was ordered to pay 500lbs tobacco to the churchwardens of Charles Parish or suffer 25 lashes at the whipping post at the hands of the York County Sheriff (DOW (13) 83 entry 747). The indentured servant, Ann Green, confessed to a fornication offence on January 20, 1712/13; her master, Yorktown ordinary keeper Elizabeth Brookes, had to assume her

500lbs tobacco levy to the York Hampton Parish. Green, already contracted to serve Brookes for a year was ordered to serve two years fine for the trouble she had brought onto Brookes' house (DOW (14) 217 entry 1909-1910).

The last case in which I would like to touch upon in regards to fornication offences is the case of Susanna Allen. Allen was presented to the Grand Jury of York County on July 20, 1713 for keeping a married man along with operating a disorderly house (Brown 1996; DOW (14) 268 entry 2254; Sturtz 2002). On the charges of keeping a married man Allen was found guilty and fined 500lbs tobacco to be paid to Bruton Parish. Sturtz believes the man in question is David Cunningham, a recent widower who Allen has as security on her 1713 ordinary license and mentions in her will (Sturtz 2002: 105). Into the 20th century it was traditionally thought that Allen operated a brothel, considering she was accused of operating a disorderly house, but, it “probably was not a ‘brothel’ per se, there is a strong likelihood that sex for money was among the services offered at taverns, including Allen’s” (Sturtz 2002: 228n 96). Although Allen was cleared of the disorderly house charges, the idea that places of ill fame might exist in 18th century Williamsburg are encouraged by the following York County Cases.

Disorderly House, Disturbing the Peace & Stroller/Vagrant Cases

As previously mentioned, disorderly houses could be places entertaining lewd behavior whether it be serving servants without permission, selling alcohol without a license or being a house of ill fame. Little differentiation was made in court records between these different types of houses and all must be included when looking for records of sexual indiscretions (Henderson 1999; Woolston 1921).

There are twelve disorderly house accusations, one stroller/vagrant, and two disturbing the peace allegations in the York County Records related to a disorderly house accusation. One of the first occurrences of a disorderly house accusation being made is that of the accusation of Elizabeth Stames. On the July 24, 1707 docket she is accused of entertaining wicked and lewd persons but the case is dismissed based on testimony not directly against Stames and there not being evidence to the contrary (DOW (13) 83 entry 744). Ordinary keeper William Craig had to petition with the help from the Governor to regain his license after his August 18, 1712 renewal was denied on the assumption he was keeping a disorderly house on the word of individuals (DOW (14) 185 entry 1663; DOW (14) 197 entry 1712).

Some cases were easily dismissed and never mentioned after their court date arrangement like the July 17, 1727 case of William Anthony (OW (16) 466 entry 3158). While others go into great detail with a guilty verdict that gives question to what actually took place at the establishment. One such case is that of George Bruce who was brought into court on information by Ishmael Moody for selling liquor without a license and keeping a disorderly house (OWI (18) 75 entry 436). On January 21, 1733/34 Bruce pleaded not guilty to both offences and a jury of twelve heard the evidence presented. The jury found him guilty and fined him 2000lbs tobacco or to give security of the crop otherwise he would immediately receive 21 lashes on his bare back at a public whipping (OWI (18) 85 entry 470). The testimony was not recorded and neither was the parish to which he was to pay the fine. Further investigation is needed to determine where this man operated his illegal business.

The cases of Joan Clarke and Rachel Rodewell are often looked to for the potential of sexual indiscretions of the prostitution kind when researching the colonial capital. Joan Clarke's November 16, 1741 Grand Jury presentment of keeping a disorderly house later becomes her February 15, 1741/42 confession (OW (19) 80 entry 409). On information by Robert Martindale, Clarke appeared in court and confessed to the offence; she was then committed until she was able to give bond and security for good behavior for one year and a day, in penalty of herself 10 pounds sterling and securities of 5 pounds sterling (OW (19) 80 entry 409). Clarke was the central cause of a disturbing the peace case issued to Samuel and Mary Baker. Mary was unable to hold back her opinions towards Ms. Clarke, all of which were deemed lewd and inappropriate. Samuel Baker was fined for his wife's behavior and both are told to keep peace with Clarke (OW (19) 106-7 entry 532). Clarke is brought back into court on the information that she has been in breach of the peace agreement, this case was quickly dismissed since no one showed up to prosecute (OW (19) 286 entry 1411). On the same day Clarke's case is presented by the Grand Jury, Rachel Rodewell is summonsed on the same offence. When Rodewell failed to appear it was ordered that she be taken into custody. On February 15, 1741/42 her absence in court was discovered to be the reason that she was being prosecuted for the same crime in the city of Williamsburg in Hustings Court; her York County case was therefore dismissed (OW (19) 80 entry 407). Unfortunately for researchers, her verdict, true crime, and court outcome are now lost with the rest of the court records from Hustings.

Two last disorderly house cases should be noted; Peter Amedon and William McClary were summonsed on November 15, 1779 (OB4 (1774-1784) 243 entry 1591)

but their trials were never recorded and the York County Records become spotty and somewhat absent, most likely due to political unrest in the area.

The final sexual transgression case uncovered in the York County Records from 1702-1784 is that of Thomas King and his associates. On February 20, 1764 a complaint came from the Town of York that a group of strollers and strumpets were disturbing the peace (JO (4) 150 entry 1061). The court sent out an immediate order that Thomas King and his associates remove themselves from the town within 24 hours or they would be taken into custody and serve justice under the law. Although this case is mentioned in the court records, it does not appear in *The Virginia Gazette*, where many researchers would believe transgressions would be reported if they occurred in the colonial capital region.

Sexual transgressions may have been dealt with in the court systems but it is likely they were taken care of by individual masters on their personal property as supported by personal diaries. This observation can be made as the case in some instances in William Byrd II's life. On June 17, 1710 he writes in his secret diary that: "In the afternoon I caused L-s-n to be whipped for beating his wife and Jenny was whipped for being his whore" (Qtd in Wright 1941: 192). Byrd's diary holds key information regarding societal norms involving sexual indiscretions.

William Byrd II

As previously mentioned in this paper, William Byrd II was a member of the House of Burgesses and the Governor's Council in Williamsburg. He attended many court sessions in the colonial capital and gives us the pleasure of reading about these

events in his personal journals and secret diaries (Brown 1996; Godbeer 2002; Snyder 2003; Wright 1941). By researching some of these personal writings we are able to get an inside look into everyday society in the early years of Williamsburg and the local area.

There are several passages in the secret diary that refer to sexual behavior conducted by local townspeople, servants, and even Byrd himself. Certain phrases and key terms have been used to identify these passages; these include ‘danced my dance’, ‘flourish’, ‘saluted’, ‘rogered’, and ‘uncleanness’. According to Richard Godbeer, Byrd is the first person to use the term ‘roger’ (slang for penis) as a verb (2002: 191).

Many of the passages involving the words ‘salute’, ‘flourish’, and ‘roger’ pertain to behavior carried out with Lucy Parke, William Byrd’s wife:

July 9, 1709

In the afternoon I saluted my wife and took a nap. (Qtd in Wright 1941: 57)

July 30, 1710

In the afternoon my wife and I had a little quarrel which I reconciled with a flourish. Then she read a sermon in Dr. Tillotson to me. It is to be observed that the flourish was performed on the billiard table. I read a little Latin. (Qtd in Wright 1941: 211)

December 22, 1710

In the afternoon my wife and I played at billiards and I laid her down and rogered her on the [trestle]. (Qtd in Wright 1941: 275)

Byrd goes into detail about the time of day “... then rose at 7 o’clock” (Jan 3, 1710: 125), “About 8 o’clock...” (Sept 25, 1710: 235); the location “... couch in the library” (Aug 6, 1710: 214), “... on the billiard table...” (July 30, 1710: 211); the intensity “... rogered my wife with vigor” (March 29, 1711: 321), “... powerful flourish...” (Apr 30, 1711: 337); and Lucy’s reactions “... had a great deal of pleasure” (Nov 4, 1710: 253), “... gave her great ecstasy and refreshment” (Apr 30, 1711: 337) of his sexual advances.

Although much of his sexual conduct is with his wife, there are passages that refer to manual stimulation in which Byrd deems inappropriate in the eyes of God and asks for forgiveness.

October 29, 1711

Then we went to the coffeehouse, where we played at cards till 10 and I won 25 shillings. Then I returned home and I committed manual uncleanness, for which God forgive me. I neglected to say my prayers but had good health, good humor, but indifferent thoughts. (Qtd in Wright 1941: 429)

November 23, 1711

We stayed at the coffeehouse till almost 4 o'clock in the morning talking with Major Harrison. Then I went to my lodging, where I committed uncleanness, for which I humbly beg God Almighty's pardon. (Qtd in Wright 1941: 442)

April 1, 1712

However we were merry till about 9 o'clock and then I went to bed and committed uncleanness. I neglected to say my prayers but had good health, good humor, but foul thoughts, for which God forgive me. (Qtd in Wright 1941: 509)

It can also be interpreted that when Byrd uses the phrase 'danced my dance' (Apr 10, 1709: 19) he is referring to the times of masturbation without wasting sperm due to the time of day and how often they occur:

May 19, 1709

I said my prayers and ate milk for breakfast. I danced my dance. The nurse was in great haste to go and complain to Mr. Harrison that [I should call her whore] but was commanded not to go. (Qtd in Wright 1941: 37)

November 24, 1710

I went to my chamber in the capitol and danced my dance. (Qtd in Wright 1941: 262)

William Byrd's diary enlightens readers to most of his sexual escapades at his Westover home and in the city of Williamsburg (Godbeer 2002; Snyder 2003). In association with this paper's topic of sexual indiscretions, the references to his sexual behavior with his

wife might not be as important as the references to masturbation. However, these are not the only instances of sexual conduct described in the diary:

November 2, 1709

We sat and talked till about 11 o'clock and then retired to our chambers. I played at [r-m] with Mrs. Chiswell and kissed her on the bed till she was angry and my wife also was uneasy about it, and cried as soon as the company was gone. I neglected to say my prayers, which I should not have done, because I ought to beg pardon for the lust I had for another man's wife. However I had good health, good thoughts, and good humor, thanks be to God Almighty. (Qtd in Wright 1941: 101)

Passages referring to his time in Williamsburg for court hearings and governing meetings give great insight to sexual indiscretions. In an entry from April 26, 1709 Byrd remarks of going to Colonel Bray's and kissing several ladies and recommending himself "to the divine protection" (Qtd in Wright 1941: 26). A year later on April 21, 1710 Byrd writes "About 3 o'clock I returned to my chambers again and found above a girl who I persuaded to go with me into my chambers but she would not... I said a short prayer but notwithstanding committed uncleanness in bed" (Qtd in Wright 1941: 169). Byrd inscribes times of having "wicked inclinations to Mistress Sarah Taylor" (Apr 29, 1711 Qtd in Wright 1941: 337), asking "a negro girl to kiss me" (Oct 21, 1711 Qtd in Wright 1941: 425), and taking walks where he "met a pretty girl and kissed her and so returned" (Nov 11, 1711 Qtd in Wright 1941: 436). Although these activities might be seen as completely harmless, one passage in the diary describes a transgression that is the very definition of sexual indiscretion:

October 6, 1709

I rose at 6 o'clock and said my prayers and ate milk for breakfast. Then I proceeded to Williamsburg, where I found all well. I went to the capitol where I sent for the wench to clean my room and when I came I kissed her and felt her, for which God forgive me. Then I went to see the President, whom I found indisposed in his ears. I dined with him on beef on beef

[sic]. Then we went to his house and played at piquet where Mr. Clyton came to us. We had much to do to get a bottle of French wine. About 10 o'clock I went to my lodgings. I had good health but wicked thoughts, God forgive me. (Qtd in Wright 1941: 91)

In his London Diary of 1720, researched by Godbeer, Byrd describes his time in Williamsburg in great detail. In one instance he mentions a white maid at his lodging as “by the cunt” and her being “out of order” so he could not have sex with her but a week later he was able to feel her (2002: 199). Perhaps Byrd was more comfortable with describing certain events after his wife passed away in 1716 or the fact that he was writing about these events in London ten years later. He goes on to say that servant Annie was a routine recipient of his sexual advances and Jenny was a good sport in 1711 (Godbeer 2002).

According to Terri Snyder, it is believed that even if William Byrd sometimes asked his partners before performing sexual acts, a refusal did not mean he would abide by their decision (2003: 48). Some of his slaves hid or avoided him in fear they would be injured if they did not comply; Harriet Jacobs had her life threatened by Byrd and her relatives successfully hid her for two years (Snyder 2003: 63).

With Godbeer and Snyder’s research along with Byrd’s personal diary it is hard to believe that sexual indiscretions did not occur amongst other residents of the colonial capital in Williamsburg. In fact, the following poem is a perfect example of Williamsburg residents conducting sexual indiscretions on the outskirts of town.

The Faithful Mastiff- St. George Tucker

At lukewarm, or at faithless friends
I’ve no design to rail:

An honest, but mistaken Zeal,
The subject of my Tale.

Yet think not, with a Cynic's Eye
That I regard Mankind
Because in Men and Brutes, alike,
Some Qualities I find.

To err is human-and that Dogs
Can be mistaken too,
Most clearly follows from a Tale
Which I can vouch is true.

Ah! Could I but as clearly prove
That Men, like Dogs, were true,
Full many a heart would now be blithe,
Which now their Falsehood rue.

In Williamsburg, 'ere party rage
The Capital removed,
Together lived three waggish sparks
Who mirth, & frolic loved.

Their Names are still remembered there,
For, still, some there remain,
To curse that Policy that razed
Their City to the plain.

Their house by night from Thieves to guard
A Mastiff they had bred;
Yet, oft, did honest Towzer go
The way their footsteps led.

For well he knew their waggish tricks
Might sometimes kindle Rage,
And well he knew the argument
That Passion to assuage.

For he had found a single look
From him could peace command,
As readily as did the Touch
Of Hermes' Magic Wand:

Or, as the Intercessions strong
Of well-armed faithful friends,

Or, as the sheriff's puissant arm,
When Posse Com: attends.

One ev'ning in the month of June,
When sultry was the day
To Waller's-Grove our youngest Wag
Directs his lonely way:

That Grove, where old Dodona's pride
Spread far & wide its shade
'Till war & avarice allied
A cruel havoc made.

His steps the faithful Towzer mark'd
As on he saw him pass,
And followed left perchance there lurk'd
Some Snake beneath the Grass.

When night her stable Mantle spread
The youth a Cottage spied,
Where, to solace from earth-born Care,
With nimble pace he hied.

There, lived a nymph whose tender Breast
Was ne'er assail'd in vain;
Delighting Pleasure to impart
To all you felt a pain.

Our weary pilgrim on the bed
Now sought a soft repose;
When Towzer straight crept underneath,
And fell into a Doze.

The creaking of the Bedstead roused him soon;
A rustling noise he hears
Of Conflict fierce above his head,
And for his Master fears.

He bounces up-& seiz'd the Foe,
Beyond the bended Knee,
Nor, heeds, that in the Conflict, low,
And panting, laid was she.

"Why how now, Towzer!" cried the wag.
"Pray let us both alone:

“Your aid, just now, I do not want,
“My adversary’s down.”

Dec 24 1789 (Tucker Mss. 40 T79 Box 80 Folder 2 #19)

Williamsburg, Virginia was an influential governing community until 1780 when the capital was moved to Richmond. Even though Tucker’s poem was written nine years after the capital was removed it demonstrates that sexual transgressions occurred in 18th century Williamsburg.

Where Could Archaeological Study Start

When uncovering sexual indiscretions in the archaeological record one must determine where these activities could have occurred. In the larger cities sexual transgressions often took place in the streets and brothels. However, it is also noted that entertainment venues are good locations to find disorderly women (Henderson 1999). In smaller cities and towns lewd conduct seems to have occurred in lodging locations (i.e. Byrd’s Diary) and drinking establishments (Rice 1983). As the colonial capital, the city of Williamsburg contained all of these except the proclaimed brothel.

Playhouse/Theater

Up until the early 19th century the actress occupation had the stigma of prostitution. In the minds of the public, a person working in the theater was somehow involved in sexual transgressions (Pease 1990: 56). Williamsburg was home to the first theater in America. Its 1752 inaugural play, *The Merchant of Venice*, was performed by the London Company of Comedians and managed by Lewis Hallam (McClellan 1904:

238). The playhouse could be a site that might produce material culture pertaining to sexual indiscretions.

Boardinghouses

By the end of the 18th century, many working women moved away from operating ordinaries and taverns and started operating boardinghouses (Rice 1983; Sturtz 2002). Statistics show that women tavern keepers in Boston went from 24% in 1765, to 21% in 1789, to 0% in 1798, while the percentage of them operating boardinghouses was at 41% in 1789 and 74% in 1798 (Rice 1983: 42; Sturtz 2003: 94). Boardinghouses boasted less expensive sleeping accommodations with only charging by the week and did not need a license to operate (Rice 1983). They lacked the entertainment facilities of the ordinaries and taverns but hosted more private sleeping arrangements. Some of these places even offered rooms to single women; in 1770 Mary Davis advertised such a place in Williamsburg (Sturtz 2003: 93). It is quite possible that sexual rendezvous could have occurred at these more private establishments even though lodgers were subject to selection by the operator.

Ordinaries

In the case of ordinaries being a medium for sexual transgressions Kym Rice uses the 18th century story of Massachusetts traveler Benjamin Bullivant. Warren's Ordinary in New Jersey had a public room for its sleeping accommodations and in the middle of the night Bullivant was "disturbed by some privateers who brought theyr girles thither to make merry and were so till 2 in the morning in the same Room where I was in bed" (Qtd in Rice 1983: 102).

In 18th century Williamsburg one infamous ordinary keeper linked to sexual indiscretions is Susanna Allen. The widow ran the ordinary out of her house starting on November 24, 1710 (Brown 1996; Sturtz 2002). As an ordinary keeper, Allen only accepted cash and used the courts often to settle suits (DOW (14); Sturtz 2002). Some historians believe she lost her ordinary license after her court presentments of keeping a married man and operating a disorderly house (Brown 1996: 289) but a license revoke was not mentioned in the York County records. Women operating drinking establishments often faced legal attacks claiming they were disorderly houses/brothels; “This could be a reasonable assumption: elsewhere in the colonies and in the Caribbean, inns and taverns served as brothels. There is less overt evidence to support this connection in Virginia but it must have occurred at some locations” (Sturtz 2002: 99).

Taverns

The 18th century tavern was the place where people came to conduct business, political meetings, banquets, parties and gatherings of male friends (Gibbs 1968; Rice 1983). Personal diaries depicting events are all that remains of some of these taverns. According to Rice the number of taverns in a town was proportionate to the population. Many small towns contained only one or two establishments (Rice 1983:85), this raises suspicion as to why the city of Williamsburg boasted more.

Some notable Williamsburg taverns include Shields and Raleigh. In 1771 Raleigh Tavern offered 38 beds to patrons. In the 1750s the tavern of James Shields is noted as having a standing bar with shelves and was large enough to hold a large table. Sleeping

accommodations were comparable to a city establishment with one bedroom containing two separate beds (Rice 1983).

Taverns in Williamsburg did not escape improper conduct by patrons. Although these establishments were not supposed to have betting games, researchers find that they occurred on a nightly basis (i.e. Byrd's Diary; Gibbs 1968). They hosted cockfights, games of dice and sold tickets to horseraces occurring in the streets (Gibbs 1968). Behavior at the local taverns became so bad that the president of the college ordered all students to be forbidden from frequenting the drinking establishments (Rice 1983).

With a reputation for improper conduct, along with research showing women preferred to stay with friends and family instead of staying at the local taverns while in town (Gibbs 1968), it is reasonable to believe sexual indiscretions could have occurred at these establishments.

The Case for the Blue Bell Tavern

Over the years there have been rumors that the Blue Bell Tavern was once a bawdyhouse. Workers at Colonial Williamsburg believe that these are just rumors since there is no specific documentary evidence claiming sexual indiscretions occurred at this establishment (Gibbs 1993; Gill 2001; Powers 2008). The problem with this claim is that historians are looking specifically for documentary evidence when they know all Hustings Court records were destroyed by fire (Vaughan 2008). When looking at the recordings of the archaeology performed at the site it is questionable if any material culture was uncovered.

Lots 61 and 62 were owned by a tavern keeper named John Redwood in 1707 who then sold the land to Philip Ludwell II of Green Springs on May 4, 1708 (McWilliams 1942). The two lots were just east of the Capitol and across from the playhouse (McWilliams 1942; Unknown 1947). According to the principle researchers of the site “little is known about the use made of lots #61 and #62 from 1719-1768” (McWilliams 1942: 3). An absentee landlord in 1770 was mentioned in a letter from Phillip Lightfoot Lee to William Lee stating that the place was “in bad repair always rented to bad tenant always nasty and few rents paid” (McWilliams 1942: 6). The Blue Bell’s true location is unknown; a hypothesis was constructed based on the Frenchman’s map of 1782 and newspaper advertisements for goods being sold from the area (McWilliams 1942; Ragland 1932; Unknown 1947).

With declarations that “it is impossible from the records on hand to trace the history of the Blue Bell or the lot on which it stood” (McWilliams 1942: 9) and that all that is known is that an uncovered dwelling on the archaeological site was indeed large enough to be used as a tavern (Ragland 1932; Unknown 1947) it would be imprudent to proclaim that the establishment was or was not a brothel. Although excavations were conducted on Lot #61 and #62 during the summer of 1932 and the spring of 1946, excavators were interested in the architecture for reconstruction purposes (Unknown 1947). In the 1932 excavation foundations were discovered using the Frenchman’s Map but the project was financially limited (Ragland 1932). Foundations were partially uncovered to obtain building dimensions and trenches were dug to help the excavators explore a considerable portion of the site, which contained a full basement with steps and a bulkhead (Ragland 1932). At the end of the field season it was made known that more

money needed to be invested into the site and valuable information was yet to be discovered (Ragland 1932). A second excavation was conducted in May of 1946 but the reports from this field season pertain to architectural design of the building and there is no mention of material culture (Unknown 1947). If artifacts were found, they either were not considered important enough to document or they were simply tossed to the side.

Without detailed archaeological reports regarding material culture it is hard to define what type of activities occurred on Lot #61 and #62. It would be beneficial to revisit the site for further excavation and evaluation of any artifacts left behind. Until a complete study is conducted a declaration of the Blue Bell being or not being a brothel should not be made.

What Could Be Recoverable

Material culture that might be found on the sites of boardinghouses, ordinaries and taverns relate to the drinking and lodging activities that occurred in these establishments. When looking for sexual indiscretions it is well known that the act itself is not directly observable in the archaeological record but the place where it occurred can be identified (Seifert 2005). So what should archaeologists be looking for in the record as a signal: perhaps gender specific artifacts? The problem with this is that men and women were consumers of the same technology and many archaeologists in the past have already established labels on recovered artifacts and did not start with an open mind as to the type of site they could be unearthing (Starbuck 1994). However, there needs to be a starting point.

Female/Male Specific Artifacts

Although Starbuck explains the problems labeling artifacts to specific users he highlights the items that females most likely would have been the user of at 18th century military sites (Starbuck 1994). These items include artifacts relating to wardrobe and occupation. Fasteners such as pins, hook and eyes, some small buttons made out of either bone or peach pit, along with small shoe buckles could be interpreted as female specific depending on size and functionality (Starbuck 1994: 126). Small hook and eyes could be used to fasten undergarments.

Studies on personal adornment of 18th century women not only correspond with Starbuck's archaeological finds but also add bone bodices, hoop petticoats, hats and fans to popular items owned and used by women (Boucher 1987; Lester 1940; McClellan 1904). The fan in particular saw its height of popularity in the 18th century (Lester 1940: 447). A variety of materials were utilized in creating this accessory (i.e. gold, silver, ivory, mother-of-pearl) and the handle might be carved, pierced, piqué, or embedded with precious stones, shell or watches (Lester 1940; McClellan 1904). By 1732, many fan shops were open for business and Boston had become a trade center for the accessory (Lester 1940: 451). Jewelry such as earrings, small silver-plated and brass rings can also be interpreted to be owned by women (Starbuck 1994: 126). Other items found such as sad irons, sewing needles and thimbles could be used by men but with the documentary evidence depicting women being in charge of laundry and sewing at 18th century military sites these items should be included (Starbuck 1994).

With the above list from 18th century military sites and studies on 18th century clothing as guidelines researchers can also look at 19th century sites to get an idea of what

type of female/male specific items have been found at known brothel sites to outline what might be found at a 18th century site. According to Donald Hardesty male specific items include tobacco pipes and pocket knives while female specific items include corset stays, garter snaps and perfume bottles (Hardesty 1994: 137). By comparing known brothels with all-male households and family households patterns begin to appear. The material culture from the brothel assemblages demonstrated female specific artifacts outnumber male specific and the amount of female specific is three times the amount that was found at the family household (Hardesty 1994: 138).

Non-Specific Artifacts

Archaeological studies on houses of ill fame from different time periods can give great insight as to what one might find in a disorderly house assemblage from the 18th century. Many of the most complete studies have been conducted on 19th century sites but hold important clues that could be helpful to the researcher of 18th century sites.

As mentioned previously, prostitution in New York City grew to epidemic numbers in the 18th century. The Five Points district became the central location for prostitution in the 1830s and it was stated by 19th century journalist George Foster that “nearly every house and cellar [was] a groggery below and a brothel above” (Qtd in Crist 2005: 21). The excavated mid 19th century New York Five Points district privy demonstrates a high number of decorated chamber pots, glass urinals, wine bottles, perfume bottles, a nursing shield, snuff bottle, flask, medicinal bottles, smoking pipes, sewing materials, shoe parts, fan parts, toothbrush, umbrella parts, combs, hair brush, mirror fragments, eye glasses, thermometer, and the skeletal remains of an infant (Yamin

2005). The placement of the infant in the privy amongst the other remains leads archaeologists to believe the privy belonged to a brothel (Crist 2005; Yamin 2005). The laboratory of the Five Points archaeological project was unfortunately destroyed during the September 11 terrorists' attacks and all the physical remains no longer exist (Crist 2005). Although researchers will no longer be able to work directly with material remains, the data collected has produced a grocery list that can be used as a reference while looking at sites from other cities.

While excavating a site for the current National Museum of the American Indian in Washington D.C., archaeologists uncovered the site of Mary Ann Hall's brothel. In the early 1930s all of the buildings in this area were razed to create the public park (O'Brien 2005). Census records from 1850 listed Mary Ann Hall as a 'substitute' a term researchers have since interpreted as meaning prostitute (O'Brien 2005: 48). In 1863 a news article in *The Evening Star* estimated a total of 5,000 prostitutes conducting work in the capital (O'Brien 2005). Hall was the landlady of a dispensary and each bedroom in her dwelling contained a full complement of bedding; other artifacts recovered from the site include mirror fragments, hair accessories, jewelry, money and writing implements (O'Brien 2005; Seifert & Balicki 2005). Although Donna Seifert and Joseph Balicki note that there is no simple brothel pattern in the assemblages or that a clear artifact signature exists, just that brothel assemblages are unusual enough to differ from their neighbors (2005: 65-66); Seifert's previous work demonstrates that if the site use is known it is possible to make comparisons across the course of time (Seifert 1994:163).

Archaeological work produced by Kelly Dixon and Catherine Holder Spude in the mining west gives enlightened perception to the sexual indiscretion topic. Dixon's

Boomtown Saloons focuses on an African-American run saloon called the Boston Saloon in the mining west located in a questionable section of Virginia City, Nevada.

Comparisons were drawn between this saloon to others in the same city during the same time period. During her discussion, Dixon showcases the presence of fasteners relating to women's clothing in what was originally thought to be an all male atmosphere in Virginia City's saloons (Dixon 2005: 124). Black glass buttons and beads mimicking material made popular by Queen Victoria raised flags that a different type of woman was present at O'Brien and Costello's Saloon and Shooting Gallery in the late 19th century:

Usually women who worked in the liquor trade did so because they needed to help support their families; such women did not likely have the means to dress in relatively fancy apparel. On the other hand, women working as prostitutes probably 'dressed up' a bit more than the women working as bar servers. In other words, the women associated with these buttons dressed well, suggesting a provocative presentation. (Dixon 2005: 125)

Spude's study on the other hand compares five saloons and three known brothels. Using Stanley South's simple descriptive statistics for comparison Spude discovers female specific material culture occurring eight times as much in the brothel setting and male specific material a third of what it is in a saloon setting (Spude 2005: 98). She found that material culture found on the brothel sites was similar to both saloon and family dwellings with certain artifacts appearing more often. The most important finding is that medicinal bottles in the brothel sites are 2.6 times the number of those found in the saloons (Spude 2005: 99). The finding of medicinal remains in the brothel assemblages at a higher frequency than in the saloons and family homes of Spude's study could be a clue for archaeologists working with other sites and is the next set of items to be discussed.

Medicinal Artifacts

One type of artifact that could shed light onto activities at a site relates to medicine. Medicinal cures for venereal infections have been available for hundreds of years. Until the 1830s, mercury was the most common treatment (Henderson 1999). Treatments for syphilis included lignum guaiaci and sarsaparilla (Henderson 1999; Yamin 2005); other medicinal treatments for communicable diseases were cinchona, opium, cicota, walnut, ammonia, sulphuric and nitric acids (Henderson 1999; Spude 2005; Yamin 2005). In 1793 advertisements in London newspapers listed Lisbon Diet Drink, Dr. Solander's Vegetable Juice, and Leake's Patent Pills as curatives (Henderson 1999: 39). At 19th century sites archaeologists run into medicinal bottles that used to contain Henry's Calcined Magnesia and Essence of Peppermint used to remedy stomach issues (Yamin 2005: 10). At some brothel sites in the West, Catherine Holder Spude discovers the use of alcohol and morphine to dull the pains of certain health issues (2005: 99).

Although rarely recovered, it should be noted that contraception has been available since the 17th century. In an excavation conducted at Dudley Castle in England, ten condoms were recovered from a latrine dating from 1642-1646 (Voss 2006: 121). David Gaimster reports that these condoms were of standard sizes and the method of fastening leads researchers to believe that they were professionally manufactured (Voss 2006: 122). The fact that a specialized craft of condom making existed in the mid 17th century gives good reason as to why it is documentary known that they existed in the mid 18th century. Condoms held onto the scrotum with a silk ribbon were made out of a sheep's bladder and could be found for sale at Mrs. Lewis' London shop in the 1740s on St. Martin's Lane and out of Mrs. Phillips' shop on Half Moon Street in the 1750s

(Henderson 1999: 41). Condoms were not the only contraception method available to the public, even though it was widely believed in the 18th century that prostitutes could not get pregnant due to the idea that they were of bad quality blood (Henderson 1999: 42) there was a market for female protection: female protection included vaginal douches and Hoopers Female Pills (Henderson 1999). There is documentation of these medicinal cures and contraceptives but their presence in the archaeological record could be a key signal to sexual indiscretions.

Williamsburg Potential Artifacts.

By looking at the characteristics of known brothel sites, a grocery list can be created for potential sites in Williamsburg. Special fasteners and beads relating to female specific wardrobe along with certain types of jewelry and accessories should be the first set of items to look for while excavating potential sites that might have housed sexual indiscretions. Seifert notes that the assemblages from the 1989 field season only has one bead, but this bead was from a brothel assemblage (1994: 159).

Liquor bottle and tobacco pipe abundance should be compared to other local sites while keeping an eye on the abundance of male-specific items. These comparisons may draw on patterns that might otherwise be overlooked. If there are female-specific artifacts amongst 'tavern' artifacts more attention needs to be made on what items are being associated with this site.

There needs to be a concentration on glass remains to determine if they belong to liquor bottles, mirrors or medicinal bottles. Medicinal and pharmaceutical artifacts will paint a different picture of the past as long as the researcher remembers that treatments

for venereal disease and contraception methods were widespread and manufactured on a large scale during the 18th century.

With these few guidelines an archaeologist might discover that what was thought to be an ordinary ordinary, tavern, playhouse or boardinghouse might in turn shed light on occupants participating in activities of a sexual manner. However, a single site will not be able to change the dominant idea sexual indiscretions did not occur in the city of Williamsburg, a comparison group should be made.

Although the brothel assemblages discussed above have unique characteristics they cannot be considered a type since this uniqueness changes according to time period (Seifert 1991, 1994, 2005; Seifert & Balicki 2005). Basically, a cross cut of all houses of all classes needs to be conducted in order to tease out the 'different' house with the help of documentary sources. It may be a challenge but there are slight differences, differences that could in the future be much clearer if more research is done and there is a better understanding of brothels throughout time. Archaeologists need to understand that there are differences between assemblages and a clear 'this is a tavern' conclusion cannot be made just because an assemblage consists of bottle glass. If a site is not mentioned in the documentary record it might be an indication that what was going on inside was not completely legal. When dealing with Colonial Williamsburg this word of wisdom should be taken with great thought instead of not asking the question if it existed and making drastic assumptions.

Importance of Research

Documentary evidence provides valuable details needed to understand the past but this information is limited. Historical archaeologists know that “written sources always have a purpose: they are intended to record particular information and omit other information. They never include everything the student of human culture wants to know” (Seifert 2005: 2). Even though this thesis is heavy on documents, the author understands how important it is to see what is in the ground. Why would someone willingly announce that they are operating a place of ill fame; this could potentially harm their personal reputation amongst their neighbors. Perhaps it was best to turn a blind eye and pretend they never saw anything to the contrary. In the case of sexual indiscretions occurring in Williamsburg the need to find defined brothels is not particularly the goal, sexual indiscretions in any format needs to be addressed. A ‘seedier’ side of history should be allowed to be presented, if not the ‘true’ history will never be known.

From a greater scope, a study on sexual indiscretions during colonial times could lead to a better understanding in the field of anthropology. The topic involves the ideas of control over self, power relations, commerce, gender and agency. At a very basic materialist level, one could even look at production and consumption in terms of supply and demand in regards to sexual indiscretions. Power relationships can be drawn upon gender issues where the women involved in the situations have an effect over their lives and the lives of others. From an ideological point of view, researchers could even relate how Colonial Williamsburg wishes to present themselves to the modern day tourists by commenting on items they have deemed vulgar or obscene and decide to cover up. By masking these items the Colonial Williamsburg Foundation would be able to present a

more wholesome/moral appearance that may attract more 'abstinence focused' individuals and families. Regardless of the direction of future studies, the one I would like to address at the present time stems from feminist and queer theories.

The main goal of feminist theory was to confront and eliminate the androcentrism in Western society (Preucel & Hodder 1996). In the past man has been considered the norm and everyone else has been considered deviant; the only people who do not consider themselves men are gendered (Preucel & Hodder 1996: 415-426; Dowson 2000: 162). Queer theory developed out of the continuous debates against androcentric views of the past and tends to have a reflective nature (Dowson 2000; Scott 1994: 4; Voss & Schmidt 2000). Not only were women and gendered people deviant, but all groups that did not meet norm expectations fell into the deviant category (Voss 2000: 184). Material remains found in the archaeological record that do not correspond with these norms are considered deviant and threatening to the social norm (Cobb 2005; Dowson 2000; Geller 2005; Preucel & Hodder 1996; Voss 2000; Wallis 2000). Questions of where we are obtaining the historical text from this time period relating to the subject should be addressed. When looking at an issue involving gender are we suppose to believe that a man's personal journal, or a man's record keeping in the court room, or a man's contribution to a local newspaper will hold all the information a historian needs to paint an accurate picture regarding 18th century sexuality and practices in the colonial capital? It is true that male focused documents hold plenty of useful information but they do not portray the whole social situation. By investigating with the intent of veering away from an androcentric interpretation different hypotheses can be produced and tested.

Examples of successful queer theory studies include Greg Reeder's 'Same-Sex Desire, Conjugal Constructs, and the Tomb of Niankhnhum and Khnumhotep' and Eleanor Conlin Casella's "'Doing Trade": A Sexual Economy of Nineteenth-Century Australian Female Convict Prisons.' In Reeder's study, the interpretation of male lovers instead of twin brothers depicted in wall art is reintroduced. Even though language translations and images depict the intimate relationship the widely held idea was that these two individuals were brothers because the original interpretation was seen as a threat to the Western norm (Reeder 2000). In Casella's study, material remains of buttons and alcohol bottles gain the importance of possibly being exchange goods for certain types of embrace (Casella 2000). Instead of being strictly part of a black market trade system in the female prisons, these items could be what is left of a different type of situation. These studies are successful because people thought outside the box and went against the normative interpretation because current day beliefs may not necessarily be accurate in past situations.

The dominant discourse of today is not necessarily the same as the discourse of yesterday nor will it be the same in the future. Yvonne Marshall explains it best as the normative view being like an Möbius strip; ever changing and what may be 'deviant' becomes the norm and vice versa (Marshall 2000: 223). What we know as the 'deviant' now may not always be considered the 'deviant' or was considered this in the past especially if we take power relations relating to sexuality into consideration. As Michael Foucault wrote "pleasure and power do not cancel or turn back against one another; they seek out, overlap, and reinforce one another. They are linked together by complex mechanisms and devices of excitation and incitement" (1978: 48).

When disciplines refuse to acknowledge the importance of certain individuals in the past, their contributions become limited. Even though a majority of colonial men did not write about sexual escapades, this does not mean that they did not happen. The court records in York County show that sexual indiscretions did in fact occur, and some of these cases occurred in Williamsburg (i.e. Rachel Rodewell and Susanna Allen). With the help of feminist thought and queer theory, a marginalized view can be presented and interpreted. With this presentment new information about the past can be viewed instead of relying on information created from potentially androcentrically-biased research.

It should be noted that past research is still relevant and in fact helpful in working with this difficult topic. For example, many turn to Patricia Gibbs' work to determine if prostitution occurred in the capital, or at least if brothels existed (Kelly 2008; Powers 2008; Sturtz 2002). This is not only because of her tavern research for her master's degree, but, because she wrote a statement for a Colonial Williamsburg reference stating that she and her colleagues had not come across any documentary evidence that the Blue Bell was a brothel (Gibbs 1993). However, in this reference she requests information from the public as to where the rumor started and if anyone has evidence or documents alluding to evidence to please contact the historical research department at Colonial Williamsburg (Gibbs 1993). When looking at the actual archaeological excavation of the Blue Bell it is hard to give a definitive yes or no. The 1930s site report encourages future archaeologists and researchers to return to the site citing that much can be learned from the artifacts that remain, but the excavation conducted in the 1940s focuses on architectural design rather than the material culture artifacts. In order to even touch upon

the subject of if or if not the Blue Bell was a bawdyhouse a full excavation needs to be conducted and all material remains need to be cataloged.

Archaeological studies need to take place on the sites of colonial ordinaries, taverns, playhouses, and boardinghouses with an open idea that they might have entertained other activity than their main purpose. In order to present a culture in a moment of time we need to understand all aspects of the society in question. If parts of this past do not agree with modern thought and social norms it should still be presented without bias. Sexual indiscretions by today's standards may or may not have been accepted in history (Foucault 1978). What we may consider risqué might have been normal to most but unacceptable by few. In the end, we are all the same species; everything that happens to us and because of us is part of the archaeological record and therefore should be researched from all perspectives. One must examine who was and is in control of societal norms and what is found in the ground to get a full understanding of what life was like in the past; and an archaeological study related to 18th century sexual indiscretions in the colonial capital is a wonderful place to start.

Appendix 1: 1702-1779 York County Sexual Transgression Cases Bruton Parish

DATE	NAME	ADDRESS	OFFENCE	VERDICT	COURT OUTCOME	OCCUPATION	RACE	SEX
05/24/1707	Mary Bryan		mulatto bastard	guilty	confession, 5 years indenture			F
06/24/1707	Rachell Wood	Mr. Mungo Ingles	mulatto bastard	guilty	1 year extra, sold by Bruton afterwards	indenture servant	white	F
07/24/1707	John Loynes		keeping whore & not going to church	guilty	guilty of missing church, 5 pounds or 50lbs tobacco to Bruton			M
05/24/1708	Rachell Wood	Mr. Mungo Ingles	mulatto bastard	guilty	1 year extra	indenture servant	white	F
07/25/1709	Rachell Wood	Mr. Mungo Ingles	mulatto bastard	dismissed	previous indenture expired	indenture servant	white	F
01/24/1709/10	Rachell Wood	Mr. Mungo Ingles	mulatto bastard	summonsed	ordered back into indenture for 1 year	indenture servant	white	F
07/16/1711	Ann Jacobson		bastard child	guilty	confession, Henry Atkinson father, 500lbs by John Brodnax, voluntarily 1 year indenture to Brodnax			F
08/18/1712	William Craig	Williamsburg	ordinary license	denied	assumed keeping disorderly house, granted license after Gov wrote letter			M
07/20/1713	Susanna Allen	Williamsburg	keeping married man	guilty	500lbs tobacco	ordinary keeper	white	F
07/20/1713	Susanna Allen	Williamsburg	disorderly house	dismissed	no evidence	ordinary keeper	white	F
08/16/1714	Elizabeth Anderson		fornication	guilty	confession, 25 lashes bare back			F
12/20/1714	Mary Burton		adultery	dismissed				F
06/17/1717	Margaret Clark	Alex Spotswood Esquire	bastard child pay	discharged	50shillings to undersheriff	servant		F
07/15/1717	Margaret Clark	Alex Spotswood Esquire	bastard child	guilty	1 yr indenture or 1000lbs tobacco for trouble to house	servant		F
12/21/1719	Margaret Clark	Alex Spotswood Esquire	bastard child	guilty	1 yr indenture or 1000lbs tobacco for trouble to house	servant		F
02/20/1720/21	Margaret Farrance	Edmund Jenings Esquire	bastard child	dismissed		servant		F
09/18/1721	Katherine Cary	Katherine Craig	bastard child	guilty	confession, 1 yr indenture, Katherine Craig pay 500lbs tobacco	servant at ordinary		F
06/15/1724	Elisabeth Layton		bastard child	next court	no show, custody			F
05/20/1728	Hester Hill	William Hall	bastard child	guilty	1 yr extra for trouble to house, 500lbs tobacco next levy or 25 lashes	servant		F
02/16/1729/30	Elizabeth Jones		bastard child	guilty	500lbs or 50shillings at next levy, Samuel Butler to pay fine			F
02/16/1729/30	Mary Roberts		bastard child	guilty	500lbs or 50shillings at next levy			F
03/16/1729/30	Mary Pinhorn		bastard child	guilty	500lbs or 50shillings at next levy, John Blair payment			F
03/16/1729/30	Winifred Page		bastard child	discharged	security for payment			F
03/15/1730/31	Mary Roberts		bastard child	petition	John Mundell father			F
03/15/1730/31	Sarah Smith		bastard child	guilty	500lbs tobacco or 50shillings, Samuel Hyde fined as well			F
05/21/1733	Joanna Rollofor		bastard child	summonsed	Grand Jury Presentment			F
05/20/1734	Joanna Inscow (Rollinson)		bastard child	dismissed				F
08/18/1735	Elizabeth Jones		bastard child	dismissed				F
12/17/1739	Elizabeth Hudson		bastard child	guilty	confession, 500lbs tobacco or 50shillings			F
08/17/1741	Mary Meade		bastard child	dismissed				F
02/15/1741/42	Mary Meade		mulatto bastard	dismissed				F
02/15/1741/42	Rachel Rodewell		disorderly house	dismissed	being prosecuted in WMBG for same offence			F
03/15/1741/42	Cleopatra Bee		mulatto bastard	guilty	trial, attorneys present, 15 or sold for 5 years indenture to parish			F
12/20/1742	Mary Hews		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, John James Hulet to pay security			F

Appendix 1: 1702-1779 York County Sexual Transgression Cases Bruton Parish cont.

DATE	NAME	ADDRESS	OFFENCE	VERDICT	COURT OUTCOME	OCCUPATION	RACE	SEX
12/19/1743	Frances Davenport		bastard child	guilty	attorney Benjamin Waller, no show, forfeit, 500lbs/50shillings/25 lashes			F
12/17/1744	Mary Meade (Bryan)		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, or 25 lashes			F
07/18/1748	Sarah Rhodes		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, or 25 lashes			F
07/15/1751	Mary Meade		bad mother	guilty	Ann and Frances Meade bound out, incapable of supporting, idle dissolute and disorderly course of life			F
07/20/1752	Lucy Barker		bastard child	guilty	no show, forfeit, 500lbs or 50shillings			F
11/15/1753	Nehemiah Huntley		bastard child pay	guilty	father of Lucy Pegram's child, give security			M
12/17/1753	Judith Bird		bastard child	guilty	no show, forfeit, 500lbs or 50shillings			F
02/18/1754	Lucy Pegram		bastard child	dismissed				F
07/15/1754	Mary Mackland		bastard child	guilty	no show, forfeit, 500lbs or 50shillings			F
07/16/1759	Elizabeth Godfrey		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, costs			F
12/21/1761	Elizabeth Godfry		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, costs			F
06/18/1764	Judith Lightfoot		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, costs			F
07/16/1764	Elizabeth Davis		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, costs			F

Appendix 2: 1702-1779 York County Sexual Transgression Cases Charles Parish

DATE	NAME	ADDRESS	OFFENCE	VERDICT	COURT OUTCOME	OCCUPATION	RACE	SEX
02/24/1702/03	Anne Wimball	servant to Mrs Sarah Starkey executer of Peter	mulatto bastard	guilty	5 years of indenture	servant		F
03/24/1703/04	Jane Middleton		fornication	dismissed				F
07/24/1707	John Comes		living in fornication	guilty	confession, 500lbs tobacco to Charles Parish, if fail 25 lashes			M
03/24/1707/08	Ann Williams		bastardizing	guilty	written confession, 500lbs paid by Giles Taverner			F
11/24/1710	Elizabeth Cunnears		mulatto bastard	guilty	confession, 5 years indenture sold by parish		white	F
06/21/1725	Anne Cooms		bastard child	dismissed				F
02/16/1729/30	Justinian Love		bastard child pay	guilty	confessed Sarah Woodfield gave birth in house, 500lbs or 50shillings			M
12/16/1734	Elizabeth Patrick		bastard child	dismissed				F
01/21/1734/35	Elinor Hayward		bastard child	discharged	paid fine carried from court to post, 25 lashes			F
06/16/1735	Mary Cox		bastard child	guilty				F
05/15/1738	Mary Bryan		bastard child	dismissed				F
02/16/1740/41	Ann Combs		bastard child	guilty	confession, 25 lashes bare back			F
11/18/1745	Mary Wilson		mulatto bastard	guilty	no show, forfeit, 500lbs or 50shillings, or 25 lashes		mulatto	F
07/21/1760	Martha Freeman		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, costs			F
06/21/1762	Martha Freeman		bastard child	dismissed				F
07/16/1764	Martha Cuttilla		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, costs			F
07/16/1764	Mary Millow		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, costs			F
07/15/1765	Martha Freeman		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, costs			F
02/16/1767	Bethia Hickerson		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, costs			F
06/18/1770	Anne Wise		bastard child	dismissed				F

Appendix 3: 1702-1779 York County Sexual Transgression Cases York/Hampton Parish

DATE	NAME	ADDRESS	OFFENCE	VERDICT	COURT OUTCOME	OCCUPATION	PARISH	RACE	SEX
02/24/1703/04	Elizabeth Ditcher		fornication	dismissed			York		F
02/24/1703/04	Mallatto Holl		fornication	dismissed			York		F
03/24/1703/04	Anne Weathers		fornication	dismissed			York		F
07/24/1704	Elizabeth Drury		fornication	summonse d	next court		York		F
09/24/1704	Honor Fitch Dorell	Elizabeth Flowers	fornication	guilty	1 year indenture and 500 lbs tobacco paid by Flowers		York		F
09/24/1705	Mary Packer		bastard child	guilty	Phillip Moody Jr father and summonsed		Hampton		F
11/24/1705	Phillip Moody Jr		fornication	didn't show for court	custody with bond for appearance	ordinary keeper	Hampton		M
09/25/1706	Anne Banks		fornication	dismissed			York		F
09/26/1706	Rebecca Stephens		mulatto bastard	guilty	confession negro father, 5 years indenture for 15 pounds		York		F
09/24/1707	Barbara Hutton		fornication	guilty	Thomas Mountfort 500lbs		YHP		F
09/24/1707	Elizabeth Ditcher		fornication	guilty	confession, 500lbs tobacco to parish paid by Cornelius Jones		YHP		F
05/24/1708	Elizabeth Blaxton		bastard child	guilty	confession, 500lbs		YHP		F
11/24/1708	Margrett Stringer		bastard child	guilty	confession, 500lbs paid by Samuel Hill		YHP		F
01/25/1708/09	Mary Cox		bastard child	guilty	confession to fornication, bastard child, 500lbs by Charles Cox		YHP		F
07/25/1709	Katherine Dean		bastard child	guilty	confession, Robert Crawrey father, 500lbs or 50shillings		YHP		F
06/24/1710	Anne Blackley		fornication	guilty	confession, 25 lashes bare back		YHP		F
06/24/1710	John Young		bastard child pay	summonse d	Anne Blackley's child		YHP		M
05/21/1711	Sarah Nichols		bastard child	guilty	confession, John Marshall father, 500lbs paid by Phillip Lightfoot		YHP		F
06/16/1712	Joyce Aplin		fornication	guilty	500lbs paid by Charles Pain		YHP		F
01/19/1712/13	Ann Green		fornication	guilty	confession, 500lbs paid by Elizabeth Brookes, contracted to serve 1 year, ordered 2 years	indenture servant at ordinary	YHP		F
01/20/1712/13	Elizabeth Williams		fornication	discharged	sufficient caution of fine to parish		YHP		F
01/16/1715/16	Mary Gibbons		fornication	guilty	500lbs tobacco paid by William Sheldon		YHP		F
09/17/1716	Mary White		bastard child	guilty	confession, 500lbs tobacco		YHP	free mulatto	F
12/17/1716	Elizabeth Flintoff		fornication	guilty	oath Jno Holdsworth father, 25 lashes		YHP		F
12/17/1716	Jno Holdsworth		bastard child	summonse d	custody		YHP		M
09/16/1717	Mary White		bastard child	guilty	Charles Haynes paid fine to church		YHP	free mulatto	F
12/19/1720	Ann Guilliams	Philip Lightfoot	bastard child	guilty	1 yr extra for trouble to house, 50shillings or 500lbs tobacco paid by Philip Lightfoot	servant	YHP		F
03/19/1721/22	Jane Pain		bastard child	guilty	no show, fined 500lbs tobacco		YHP		F
12/18/1727	Elizabeth MacDowell		bastard child	guilty	no show, fined 500lbs tobacco paid by Philip Lightfoot		YHP		F
05/15/1732	Elizabeth Jones		bastard child	dismissed	no longer in county		YHP		F
08/21/1732	Mary Roberts		bastard child	guilty	confession, 500lbs tobacco or 50shillings, mother Mary Roberts security		YHP		F

Appendix 3: 1702-1779 York County Sexual Transgression Cases York/Hampton Cont.

DATE	NAME	ADDRESS	OFFENCE	VERDICT	COURT OUTCOME	OCCUPATION	PARISH	RACE	SEX
01/15/1732/33	Anne Bankes		bastard child	dismissed			YHP		F
03/19/1732/33	Mary Archil		bastard child	guilty	500lbs or 50shillings at next levy, John Butterworth security (ordinary keeper)		YHP		F
05/19/1735	Mary Road		bastard child	summonse d	Grand Jury Presentment		YHP		F
06/16/1735	Mary Reade		bastard child	discharged	John Butterworth (ordinary keeper) paying fine		YHP		F
05/17/1736	Martha Lester		bastard child	discharged	paid sum 2-4-9 1/2, will pay remainder		YHP		F
05/16/1737	Anne Pinchen	James Mitchell (ordinary keeper The Swan of Yorktown)	bastard child	guilty	confession, 25 lashes bare back	servant at ordinary	YHP		F
07/18/1737	Elizabeth Ellyson		bastard child	next court	continued and new process		YHP		F
07/18/1737	Elizabeth Ellyson		bastard child	next court	continued		YHP		F
09/18/1738	Anne Bayley		bastard child	guilty	confession, 500lbs tobacco or 50shillings		YHP		F
12/15/1740	Mary Wright		bastard child	guilty	confession, 500lbs tobacco or 50shillings next crop, William Hussey and William Sherington security		YHP		F
02/16/1740/41	Elizabeth Miller		bastard child	dismissed			YHP		F
05/18/1741	Anne Roberts		bastard child	guilty	confession, 25 lashes bare back		YHP		F
05/18/1741	Mary Brookes		bastard child	guilty	confession, 500lbs tobacco or 50shillings next crop, John Cornelius security		YHP		F
08/15/1743	Jane Tomson		bastard child	discharged	paid fine		YHP		F
06/18/1744	Mary Clark		bastard child	guilty	500lbstobacco/50 shillings/25 lashes		YHP		F
07/21/1746	Elizabeth Morris		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, or 25 lashes		YHP		F
06/20/1748	Elizabeth Morris		bastard child	unknown	unknown		YHP		F
12/19/1748	Elizabeth Dutchfield		mulatto bastard	guilty	confession, 15pounds money, if unable to pay at end of indenture parish able to sell	indenture servant	YHP		F
12/16/1751	Martha Budson		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, or 25 lashes		YHP		F
02/17/1752	Matthew Hubbard		adultery	dismissed	witnesses no show, only churchwardens word, witnesses fined 300lbs unless show good cause of not appearing		YHP		M
11/20/1752	Frances Singleton		bastard child	summonse d	Grand Jury Presentment		YHP		F
12/18/1752	Francis Singleton		bastard child	guilty	no show, forfeit, 500lbs or 50shillings		YHP		F
07/15/1754	Clary Burcher		bastard child	guilty	no show, forfeit, 500lbs or 50shillings		YHP		F
06/18/1759	Sarah Archer		bastard child	guilty	confession, 500lbs tobacco or 50shillings, costs		YHP		F
12/21/1761	Elizabeth Powell		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, costs		YHP		F
12/21/1761	Sarah Archer		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, costs		YHP		F
07/15/1765	Mary Cosby		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, costs		YHP		F
06/19/1769	Mary Burns		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, costs		YHP		F

Appendix 3: 1702-1779 York County Sexual Transgression Cases York/Hampton Cont.

DATE	NAME	ADDRESS	OFFENCE	VERDICT	COURT OUTCOME	OCCUPATION	PARISH	RACE	SEX
06/20/1774	John Holt		bastard child	guilty	confession, 2 bastards of Mary Cosby, 6pounds/yr per child to parish until age 10		YHP		M

Appendix 4: 1702-1779 York County Sexual Transgression Cases Unknown Parish

DATE	NAME	ADDRESS	OFFENCE	VERDICT	COURT OUTCOME	OCCUPATION	RACE	SEX
09/25/1706	Mary Hanson		mulatto bastard	dismissed	Robert Read not prosecuting			F
09/26/1706	Anne Mackentosh		mulatto bastard	dismissed				F
06/24/1707	Catherine Masterton		fornication	next court				F
06/24/1707	James Bowman		disorderly house	dismissed	made defence, no evidence			M
07/24/1707	Elizabeth Stames		disorderly house	dismissed	no one came forward			F
11/24/1707	Elizabeth Thomson		fornication	next court				F
02/25/1707/08	John Coombs		living in fornication	summonsed				M
02/25/1707/08	Judith Moody		bastard child	summonsed				F
09/24/1709	John Eaton		bastard child pay	next court	give security for child			M
06/21/1714	Ann Blakely		fornication	guilty	25 lashes bare back			F
07/19/1714	Frances Lee	Henry Hayward	fornication	guilty	confession, John Sexton father of children, 25 lashes bare back, 1 year extra	servant		F
01/16/1715/16	Margaret Mackoy		fornication	guilty	confession, 25 lashes bare back			F
03/19/1715/16	Frances Pressee	Jno Brooke	bastard child	summonsed	custody	servant		F
12/17/1716	Elizabeth Spencer	Francis Sharp	bastard child	guilty	oath Thomas Rickman father, 25 lashes bare back, 1 yr indenture	servant		F
12/17/1716	Frances Lee		mulatto bastard	dismissed	informer not prosecuting			F
12/17/1716	Katherine Michael	Mary Cary	bastard child	next court	failed to show, custody	servant		F
12/17/1716	Michael Chapman		fornication	next court	failed to show, custody			M
12/17/1716	Sarah Causby		fornication	next court	failed to show, custody			F
12/17/1716	Susanna Lockwood		mulatto bastard	next court	failed to show, custody			F
05/20/1717	Katherine Eales	William Robertson Gantt	bastard child	guilty	confession, 1 yr indenture	servant		F
06/17/1717	Francis Sharp		living in fornication	not guilty	plead not guilty, jury not guilty			M
01/18/1719/20	Margaret Flora	Lewis Delony	bastard child pay	petition	1 yr indenture or 1000lbs tobacco for trouble to house	servant		F
02/20/1720/21	Mary Ansell	William livingston	bastard child pay	petition	1 yr extra for trouble to house	servant maid		F
05/15/1721	Margaret Flora	Lewis Delony	bastard child	guilty	1 yr extra for trouble to house	servant		F
06/18/1722	Mary West		mulatto bastard	next court	pleads not guilty, trial next court			F
07/16/1722	Elizabeth Griffen		bastard child	next court	no show			F
02/18/1722/23	Mary Cook		bastard child	discharged	appeared and objections heard			F
07/15/1723	Jane Pain		bastard child	next court	no show, custody, security for appearance			F
07/15/1723	Mary White		bastard child	next court	no show, custody, security for appearance			F
08/16/1725	Elizabeth Birdsong		bastard child	next court	no show			F
11/15/1725	Elizabeth Hains		bastard child	summonsed	Grand Jury Presentment			F
12/20/1725	Elizabeth Hains		bastard child	summonsed	summonsed			F
06/20/1726	Margaret Croney		mulatto bastard	summonsed	Grand Jury Presentment			F
06/20/1726	Samuel Hunter		disorderly house	summonsed	Grand Jury Presentment			M
07/17/1727	William Anthony		disorderly house	dismissed				M

Appendix 4: 1702-1779 York County Sexual Transgression Cases Unknown Parish Cont.

DATE	NAME	ADDRESS	OFFENCE	VERDICT	COURT OUTCOME	OCCUPATION	RACE	SEX
07/15/1728	French Mary		fornication	didn't show for court	went into hiding, delivered in Thomas Sheppard's house, Sheppard summonsed			F
07/15/1728	Mary Button		fornication	guilty	500lbs tobacco or 25 lashes			F
07/15/1728	Mary Hailey		fornication	next court	continued			F
09/16/1728	Mary Hailey		bastard child	summonsed	summonsed			F
12/16/1728	Thomas Sheppard		fornication	next court	trial next court			M
03/17/1728/29	Martha Bruce		unknown	next court	continued			F
12/15/1729	Judith Cattilla	William Cattilla	bastard child	summonsed	Grand Jury Presentment			F
12/15/1729	Sarah Woodfield		bastard child	summonsed	Grand Jury Presentment, summonsed along with Justinian Love			F
02/16/1729/30	William Catilla		bastard child pay	guilty	failed to give security for daughter's bastard, 25 lashes			M
03/15/1730/31	John Mundell		bastard child pay	next court	father of Mary Roberts child			M
01/17/1731/32	Jane Garret		bastard child	guilty	Joseph Davenport to pay security			F
01/21/1733/34	George Bruce		disorderly house	guilty	jury of 12 found guilty, 2000lbs tobacco or give security or 21 lashes immediately			M
05/20/1734	Hannah Tavenor		bastard child	dismissed				F
06/21/1736	Isabella Colsen		bastard child	discharged	appeared and paid fine			F
11/15/1736	Elizabeth Willis		bastard child	dismissed				F
11/15/1736	Mary West		mulatto bastard	dismissed				F
01/17/1736/37	Joanna Inscow		bastard child	dismissed				F
08/15/1737	Anne Smithy		bastard child	discharged	paid fine			F
11/21/1737	Frances Gary		bastard child	dismissed				F
05/15/1738	Elizabeth Morris		bastard child	discharged	paid fine			F
02/18/1739/40	Mary Haughthan		bastard child	guilty	John Washer security to pay fine			F
05/19/1740	Elizabeth Morris		bastard child	discharged	Jones Irwin security			F
07/21/1740	Abigal Furnace		bastard child	guilty	confession, 500lbs tobacco or 50shillings next crop by Jones Irwin security			F
07/21/1740	Mary (Sarah) Lawson		bastard child	next court	continued			F
11/17/1740	Sarah Lawson		bastard child	guilty	confession, paid 25 shillings, 12 months to pay rest			F
07/20/1741	Elizabeth Davis		bastard child	discharged	paid fine			F
02/15/1741/42	Joan Clarke		disorderly house	guilty	committed until gives bond and security for good behavior (1yr and day), 10 and 5			F
06/21/1742	Samuel Baker and Wife		disturbing peace	guilty	breach of peace by wife against Joan Clarke, paid fine			M
05/21/1744	Mary Harris		bastard child	dismissed	not in county			F
06/18/1744	Joan Clarke		disturbing peace	dismissed	no prosecution			F
12/17/1744	Mary Hughes		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, John James Hulet to pay security			F
06/17/1745	Ann Allcock		bastard child	dismissed	not in county			F
06/17/1745	Mary Hubbard		bastard child	dismissed	not in county			F
09/16/1745	Hope Drewitt		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, or 25 lashes			F
11/18/1745	Elizabeth Wooten		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, or 25 lashes			F
03/17/1745/46	Martha Morris		bastard child	discharged	pay costs of court			F
09/22/1747	Catherine Harris		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, or 25 lashes			F
05/16/1748	Agnes Palmer		bastard child	guilty	500lbstobacco or 50 shillings or 25 lashes			F
06/19/1749	Martha Birdsong		bastard child	discharged	paid fine			F
06/19/1749	Mary Rice		bastard child	dismissed	reasons appearing			F

Appendix 4: 1702-1779 York County Sexual Transgression Cases Unknown Parish Cont.

DATE	NAME	ADDRESS	OFFENCE	VERDICT	COURT OUTCOME	OCCUPATION	RACE	SEX
06/18/1750	Mary Meade Jr		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, or 25 lashes			F
11/18/1751	Ann Cockett		bastard child	dismissed	not in county			F
11/18/1751	Unknown		bastard child	summonsed	Grand Jury Presentment			F
06/15/1752	Ann Cosby		bastard child	discharged	paid fine			F
06/15/1752	Lucy Handsford		bastard child	dismissed				F
06/15/1752	Mary Hughes		bastard child	dismissed	married at time			F
11/20/1752	Mary Hunkley		bastard child	summonsed	Grand Jury Presentment			F
12/18/1752	Mary Delany		bastard child	guilty	no show, forfeit, 500lbs or 50shillings			F
12/18/1752	Mary Hankley		bastard child	next court	new process			F
07/16/1753	Sarah Bratenham		bastard child	dismissed				F
12/17/1753	Sarah Archer		bastard child	discharged	paid fine			F
06/17/1754	Tomarson Savery		bastard child	guilty	no show, forfeit, 500lbs or 50shillings			F
08/19/1754	Ann Williams		bastard child	dismissed	not in county			F
05/21/1759	Elizabeth Roberts		bastard child	summonsed	Grand Jury Presentment			F
08/20/1759	Elizabeth Robertson		bastard child	dismissed	not in county			F
08/20/1759	Martha Driver		bastard child	dismissed	not in county			F
08/20/1759	Mary Bayley		bastard child	dismissed	not in county			F
08/20/1759	Sarah Freeman		bastard child	dismissed	not in county			F
07/21/1760	Sarah Freeman		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, costs			F
12/15/1760	Margaret Whitaker		bastard child	discharged	paid fine, costs			F
11/16/1761	Mary St. Lasure		bastard child	summonsed	Grand Jury Presentment			F
06/21/1762	Elizabeth Picket		bastard child	dismissed				F
06/21/1762	Mary Howell		bastard child	dismissed				F
06/21/1762	Sarah Freeman		bastard child	dismissed				F
01/17/1763	Constance Burradell		bastard child	dismissed				F
06/20/1763	Letter Wooding		mulatto bastard	next court	continued			F
06/20/1763	Mary Orrell		bastard child	next court	continued			F
02/20/1764	Thomas King		Strollers / Vagrants	24 hour removal	complaint, Town of York, King and associates are strollers and vagrants, 24 hour removal or into custody			M
06/18/1764	Christiana Stroud		bastard child	discharged	paid fine, costs			F
07/15/1765	Elizabeth Howell		bastard child	dismissed				F
07/15/1765	Mildred Dunford		bastard child	guilty	no show, forfeit, 500lbs or 50shillings, costs			F
06/19/1769	Martha Brookes		bastard child	dismissed	not in county			F
06/18/1770	Ruth Freeman		bastard child	dismissed				F
11/19/1770	Martha Brookes		bastard child	summonsed	Grand Jury Presentment			F
11/19/1770	Mary Lawson		bastard child	summonsed	Grand Jury Presentment			F
05/18/1772	Elizabeth Hughes		bastard child	summonsed	Grand Jury Presentment			F
06/19/1775	Anne Brathwaite		disorderly house	guilty	dealing and entertaining slaves w/out owners permission, game at cards, 50pounds with 25 pound security, if not paid by 29th- jail until pay, costs			F
11/15/1779	Peter Amedon		disorderly house	summonsed	Grand Jury Presentment			M
11/15/1779	William McClary		disorderly house	summonsed	Grand Jury Presentment			M

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JO (3) 1761

M 1797 Reel 111. JO (3) 1762 – JO (1760-70) 1770

M 1797 Reel 112. JO (2) 1770-72 – 1770 Nathanael, Callowhill – Will