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The churchyard enclosure around the Elizabeth City Parish Church of 1728: with systemic and proxemic considerations

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THE CHURCHYARD ENCLOSURE AROUND THE ELIZABETH CITY PARISH CHURCH
OF 1728: WITH SYSTEMIC AND PROXEMIC CONSIDERATIONS

A Thesis

Presented to

The Faculty of the Department of Anthropology
The College of William and Mary in Virginia

In Partial Fulfillment

Of the Requirements for the Degree of
Master of Arts

by

Anne W. H. Garland

1982

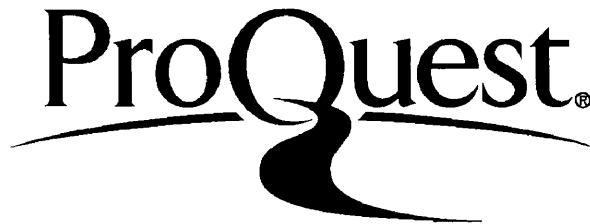
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APPROVAL SHEET

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the requirements for the degree of

Master of Arts

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ABSTRACT

The practical purpose of this study was to locate the spatial dimensions of the original churchyard around the Elizabeth City Parish Church. This was accomplished using historical and archaeological investigations. The lot, which was surveyed and valued at 1-1/2 acres, was acquired in 1727; the church building was completed in 1728; and the churchyard wall, made of brick, was constructed in 1759. The churchyard, enclosed with the brick wall, was 1 acre. The rectangular-like enclosure became the legal boundaries of the church lot in succeeding years for the abutting properties. After reviewing the deeds to adjoining properties, a dimension for the brick wall was determined. Archaeology verified the true dimensions with the location of the undisturbed corners.

The lot is oriented with the grid plan of the town plan laid down in 1692, when Hampton became a legislated port town. Comparisons with applicable towns were made. The location of the lot is related to the spatial organization of the parish community, its real and symbolic space.

To better understand the presence of enclosure and especially ones made of brick, several variables were chosen from the cultural system to investigate for their pertinence in the building of enclosures. The variables, which were considered, are governmental policies and legislation, economic/environmental conditions, Anglican traditions, socio-religious beliefs and practices, and architectural town and building plans. The theoretical orientation of the study is to demonstrate the value of considering several independent variables which can affect a dependent variable. The "single cause for a single effect" is rejected in favor of a multiple perspective.

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INTRODUCTION

The present enclosure around St. John's Episcopal Church in downtown Hampton, Virginia, divulges an obvious image of continual expansion. The enclosure surrounds the church building, parish house, and burial grounds. The enclosure itself is a brick wall of various constructions. Its dimensions resemble an angular amoeba as it spreads out from the central nucleus, which is an English cruciform church. The cemetery still has empty plots, so that for several decades, the protrusions of the amoeba are frozen, as you see them today.

After studying the present enclosure, the churchyard's location within the community is noticed to be at the end of the "downtown mall". The main business thoroughfare, like so many cities now, which have populations in the suburbs, has become a wide landscaped brick and cement walkway. It is devoid of auto traffic and noise. This lends a contrast to the "romantic" setting of the Georgian church built in 1728. The church is surrounded by a brick wall; the grounds are carpeted in grass and brick walks, with magnolia and crepe myrtle trees still standing from their planting in the early twentieth century. The present artificiality of "downtown" conflicts with the colonial church. Its placement at the end of a main thoroughfare is a reminder of its public significance in 1728, when Queen Street was an actively traveled route, by businessmen, residents, and travelers, of a port town.

The amoeba-like walls of the churchyard are also reminders of a past history, since they exhibit multiple repairs and extensions. The present image of the churchyard really reflects the romantic settings, so popular

CHAPTER I

PART 1. THE HISTORY OF ELIZABETH CITY PARISH AND ITS CHURCH SITES

The colonial history of Elizabeth City County begins in the late 1570's. During these years, several Spanish Jesuits lived among the Indians bringing to the aborigines their first knowledge of European culture in the form of missionary zeal. By 1588, the missionaries had died, presumably killed by the local Indians (Taylor, 1960:5-7).

The aborigines along the James River estuary were next to meet Europeans in April of 1607. The English colonizing expedition landed near Old Point Comfort before they continued upriver to Jamestown. According to William Strachey, their village had 300 wigwams and 1000 members, which had recently been reduced after being conquered by Powhatan (McCabe, 1853:12). Powhatan's son, Pochin, had been made chief of the Kecoughtans. The colonists found the inhabitants friendly and hospitable. John Smith visits them in the fall of 1607 and trades copper and hatchets for 16 bushels of corn to feed the starving settlers at Jamestown.

However, an incident on July 6, 1610, at Fort Algernourne, built upon Old Point Comfort in 1609, would lead to the enmity between the Indians and the settlers. Humphrey Blunt, one of Sir Thomas Gate's men, was killed by Indians from Nansemond, while he was recovering a longboat near the fort. Even though John Smith's map places the Nansemonds at least fifteen miles south of the Kecoughtans, Sir Thomas Gates revenges Blunt's death upon the Kecoughtans, driving them away on July 9.

With the Indian population subdued along the north bank of the James River estuary, settlement immediately expanded from Jamestown to this area, later in 1610. Lord Delaware authorized the building of Fort Henry and

in the nineteenth century. The questions arise, such as, when this church was built in 1728, did its yard have brick walls? Did the yard function as a romantic setting for burials? What was the size of the original churchyard and was it enclosed? How did this churchyard of the early eighteenth century compare with others of the same era? How did geographic region and/or religious philosophies influence the churchyard's function? How did the physical attributes of the enclosure compare with others around similar churches?

The religious history of colonial Virginia is dependent upon existing records of counties and of churches. Their records are limited from the colonial period after suffering through three domestic wars. The English Diocese never assigned a diocese's organization to Virginia which eliminated probable records from an ecclesiastical administration. There are records available for the administration of the Anglican church in Virginia from the Grand Assembly and the parish vestries. The colonial churches still standing represent a relatively good source of information, but as artifacts, information about religious customs is limited, especially since the exteriors are usually all that remain of the original. The interiors have been destroyed by wars and the present construction represents a later century's customs. Archaeology in Virginia has been limited, whether at sites with existing churches or at sites no longer with existing structures. If accomplished, it has usually concentrated upon the main building and not upon the churchyard. The avoidance of recorded and unrecorded burials deters excavations to locate the churchyard's dimensions. Many existing structures still have active congregations with a "living cemetery" in which new burials are interred amongst those unrecorded.

Because of the "activity" in churchyard burial grounds, much of the previous information available, archaeologically, has been intruded upon by each new burial. Those sites, without an existing structure, are still recognized as legal burial grounds with recorded interments.

Nonetheless, with all of the mishaps and problems concerning church history in colonial Virginia, a gathering of information about their churchyards and their enclosures has been possible. In order to contribute in a factual way to the available information, documentary and archaeological investigations about the enclosure around the 1728 church of Elizabeth City Parish, were undertaken successfully, and will be presented in the context of this paper.

To put the information about the enclosures around the Elizabeth City Parish Church of 1728 into perspective, a set of variables was selected which would be examined for their pertinence. If the variables examined did appear to have an influence upon the enclosure of churchyards, they are presented. They compose part of a system, the interactions of which contributed to the existence of churchyard enclosures. The "cause and effect" pursuit of many social sciences is declined in preference for a systemic view. In this way, several avenues are considered at once and, hopefully, can be shown to be parts of the same scheme, each contributing information. Their influences, whether predominant or not, all jointly affected the churchyard enclosures during the eighteenth century in Tidewater, Virginia.

To enumerate the boundaries of this study is now undertaken. Because the Elizabeth City Parish Church of 1728 was within a port town community and was Anglican, these criteria were considered when comparing neighboring

churchyards. Also, the geographic location, Tidewater, is kept constant, and the dates of the church's constructions are approximately late seventeenth and early eighteenth centuries. Due to the specific nature of the historical and archaeological research for this project about the Elizabeth City Parish churchyard wall, only several comparisons will be discussed. Those churchyards chosen for comparison will be archaeologically and historically discussed as much as present information allows. At this time, not enough archaeological and historical data are available about all churchyard sites, fitting the above criteria, to make any definite statements. Patterns mentioned, therefore, will only be suggestive.

For contrast, Anglican churches built within nonport towns or rural areas will be used. For contrasts made in Virginia, Anglican churches outside the Tidewater region will be considered if applicable. To contrast both region and religious practices, the Puritans' meeting houses in New England towns will be mentioned.

The variables to be considered within the system which will be discussed with respect to churchyard enclosures, are variables which indirectly had potential influences. These include, in general terms, governmental policies and/or legislation, economic and/or environmental conditions, socio-religious beliefs and practices, Anglican traditions, and architectural planning of towns and buildings.

Each variable's pertinence towards the study will now be discussed. The practice of enclosing churchyards needs to be examined from an administrative standpoint. The placement of brick walls around colonial churchyards is evident today because bricks have a degree of permanence compared to perishable materials, such as wood. Their repair over the years, since

their first construction, has kept them visible. Their age of construction was usually in the eighteenth century, when the Georgian "age of brick" became popular after the turn of the century. Several existing enclosures are known to date from the eighteenth century: Bruton Parish, Borough Church, and Blandford Church. The presence of several suggests a general pattern. To help decide if their presence is isolated or patterned, a review of General Assembly and County legislation needs to be made. Finding legislation about enclosures around churchyards could, therefore, make their existing remnants more understandable.

Economic conditions often allow or disallow the affordability of change. Inclusion of the economic state in Tidewater, Virginia, before and during the period of interest may add input (from 1720-1760). Also, by the nature of the regional economy, certain local environmental situations may exist, which can influence a possible pattern. Considerations about environmental resources, upon which the Tidewater economy is based, therefore, may be valuable.

Next, the beliefs and ritual practices of the culture as a group, are considered. Because the European settlers in Tidewater were mainly Englishmen of the seventeenth and eighteenth centuries, the Anglican religion immigrated with them. The churchyards to be studied are products of Anglicans. Knowing their church history in England during and prior to the mid-eighteenth century as well as in Virginia will allow a better perspective from which to approach their beliefs and practices.

For an Anglican, the authority from the state and church was intermingled. Social life and religious ritual and beliefs, as a result, were closely akin. Consequently, the socio-religious traditions of the Anglican

immigrants may influence the presence of enclosure legislation. The Anglicans will use familiar socio-religious experiences to adapt to similar or different public and environmental situations. That is, a church had been one of the places for public gatherings for the Anglicans. The use of public space, therefore, becomes a functional question with regard to churchyards, an undoubted public space below and above ground. Traditions may affect the manner in which these Anglicans arranged their public space.

Lastly, the aesthetic ideal must be considered. Cognitively, Durkheim would call it that "latent image" which is made manifest. This is best exemplified by the architectural trends which were prevalent. The Doppler effect can be said to have long range modes, since popular architecture in England was being translated in Virginia with an appropriate lag time during the eighteenth century. Connected with tradition and the "latent image", the town plans, in which the churches in this study are a part, are of interest. Their spatial arrangements often include designated locales for church lots. Perhaps the size of the churchyard often is a reflection of the spatial planning. Comparison of several churchyards and their dimensions might confirm or deny this possibility. Comparing town and rural dimensions of churchyards may suggest a pattern.

The chapter's contents are not necessarily about each variable as outlined above. In most cases, an attempt is made to integrate these variables throughout the narrative as each subject is addressed. The variables are mentioned, so that the reader will know background information has been collected for each subject from all of these dimensions, either from secondary or primary sources.

Fort Charles along the Hampton River. They were to function as barricades against the remaining Indians as well as "comfort stations" for new arrivals sailing further up the James (Arber, 1910:503). The history of Elizabeth City Parish begins at this time. The new settlement, which developed near Forts Henry and Charles along the Hampton River, was called by the Indian name Kicotan, (Kecoughtan had various English spellings). The population, at first, was primarily at the forts. According to a Spanish spy, Diego de Molina, who made his report to the Spanish ambassador in London, Fort Algernourne in 1611 had 25 men and four iron pieces, while Forts Henry and Charles only had 15 soldiers without any artillery (Starkey, 1936:10). The purpose for the two smaller forts might have been less military and more colonial as at Flowerdew, Jamestown, and Wostenholme Town. A colonial policy similar to the one used in Ireland, which was begun by the English in 1609, centers upon a "barrow" or enclosed area within which are public buildings. Outside the enclosed space, settlement can occur with private dwellings, enclosed garden plots, and eventually a "village" church.

Kecoughtan's population in 1616 was 20 men and boys without counting the women, as reported by John Rolfe, who sailed for England with his wife Pocahontas, that same year (Starkey, 1936:10). Rolfe also mentions the population was almost equal to the Indians' before their dispersion in 1610. Powhatan's attack, therefore, had reduced a tribe of 1000 to 1/50 of its original size.

By 1619, a minister, William Mease, is listed as residing at the city of Kicotan. Apparently, the settlement of Kecoughtan had an officiating minister very early. His vocation required adherence to the colonial

religious policies, which were based upon the "Constitution and Canons Ecclesiastical". These rubrics had been in effect for the Church of England since 1603. The instructions from the Company and later the Acts passed by the Grand Assembly after its formation in 1619 were all modeled after these rubrics of 1603 (Goodwin, 1927;77).

Making religious tenets and having the settlers recognize them were important considerations to the founders of the colonial settlements. The Virginia Company authorized mandatory observances. On May 10, 1618, Governor Argall's Edict was for "every person to go to church Sundays and holidais or lye neck and heels on the Corps du Guard ye night following and be a slave ye week following, 2^d offence a month, 3^d a year and a day" (Kingsbury, 1933:93). By 1618, the protestant Reformation in Europe and England had led to new practices, however, the church and state, which combined their organization and administration, continued their close alignment.

The formation of parishes was an ancient method of church organization. It originally occurred as a means to financially support the local official from the nearby monastery. The official was sent by the monastery as a missionary among the local Briton settlements. The Christian missionary would speak at public gathering places. Soon a cross would be raised to designate the area where Christian observances took place. Often times a yew tree was planted there, or the gathering place might first be beneath the broad shelter of the branches, which were evergreen. (The evergreen symbolized everlasting life to the new Christians.) Later, the parish became a convenient part of the state or manorial organization, whenever public support, financially or otherwise, was needed.

For the English in the New World the importance of a place to worship was old, as well as the realization of a missionizing spirit. The "mission" parish, therefore, was designated by the Company and later by the General Assembly as an effective support. The parish organization would support both the state, which was slowly being established, as well as the church.

At first, the Company's charter (1609) in Virginia designated each one of the "cities" to be a parish. In 1615, the "city" of Kicotan, like Jamestown and Henricopolis, planted by Dale further up the James, were all parishes. Henricopolis and Jamestown had ministers officiating in the new parishes before 1619 when Mease is recorded as being in Kicotan. Reverend Alexander Whitaker who resided at Rock Hall, his church lands, two miles above Henricopolis, had an M.A. from Cambridge. On his 100 acres, which he impaled, he had "a faire framed house" according to Ralph Hamor in 1615 (Goodwin, 1927:40). Whitaker unfortunately drowned in the James River in 1617. Reverend Hooker who presided at Jamestown also died after his early arrival. He died from the plagues prevalent in early Jamestown in 1617.

In 1616, the new charter of the Company organized the settled areas into corporations. Settlement was spreading away from the "cities" along the rivers as large tracts of land were granted for tenant cultivation. Parishes became coextensive with the corporations. A corporation could consist of the plantation settlements, public lands, and glebe lands. Plantation land (the hundred) was acquired by stockholders in the Company. To acquire the land, a bargain was set whereby the landowner had to send tenants to the tracts to begin a settlement and to cultivate. These tracts were usually 1500 acres (100 acres/share of stock), and out of its cultiva-

tion, payments towards public expenses were required. In each city were public lands of 1500 acres, which were farmed by tenants sent by the Company. The tenants' profits were used to provide the salaries of the civil officers. The Glebe (100 acres) for each city and plantation was cultivated by tenants for the support of the minister of the parish. The Glebe was to be worked by six tenants, three sent by the Company and three by the owner of the plantation lands.

Basically, a parish's bounds were determined by the number of inhabitants who could collectively support a minister's salary, and the building and repairs of a church and/or a glebe house. For a while, before immigration and survival rates increased, the bounds equalled either the corporation and/or the plantation settlement.

When the General Assembly was established in 1619 by the Company under Sir Edwyn Sandys, the colony of 1000 inhabitants was dispersed among four corporations (now called boroughs): The City of Henricus, Charles City, James City, and Kicowtan. A borough in England was a settlement initiated by commerce, in which a convenient market place had developed for trading. By 1619, therefore, it seems clear that these "cities" were first considered as areas of production within a mercantile system. The boroughs were, secondly, centers for the support of religion. The lack of provisions for sending clergy by the Company and later, the Crown, is evidence of this predominant theme. It is no wonder that the "parishes' bounds" were puzzling at first, since few clergymen, needing glebes and churches, existed continuously from the time of settlement in any one borough or plantation. Several years would pass before a clergyman was available or, if one died, a new one would arrive. This situation led to much "corner cutting" by the

colonists in order to continue their religion. They often accepted unbeficed clergy as the ministers of their parishes (benefice - letter of appointment from the Bishop of London).

To complicate matters, the Church of England never appointed a bishop for Virginia as its administrative head. As a result, with the absence of ecclesiastical authority, the state (coequal partner) assumed the administration of religion in Virginia. Therefore, in 1623/4, at the first legislative meeting of the Grand Assembly (consisting of two representatives from each borough and plantation in the House of Burgesses, the Governor, and the Council) the first seven acts passed dealt with church regulations (Holt, 1982:7). By doing this, the assembly was continuing the ecclesiastical administration begun by the Virginia Company using the Canons of 1603.

Act I of the Grand Assembly, March 5, 1623/4, ordered "There shall be in every plantation, where the people use to meete for the worship of God, a house or room sequestered for that purpose and not be used for any temporal use whatsoever, and a place empaled in (sic) sequestered only to the burial of the dead" (Hening, 1969 V.I:22).

In the borough of Kicowtan, the concern of the colonists for Christian observances is first recorded by the General Assembly in 1620. At the Assembly's organizational meeting, the Assembly received the request from Kicowtan residents to change their borough's name. They approved the name change to Elizabeth City to honor James I's daughter. The residents considered the name Kicowtan, a pagan observance (Starkey, 1936:9). As if this change reflected a growing fear among the colonists about the Indians, tragedy struck in 1622. The massacre ended the existence of several

established settlements. Luckily, Elizabeth City escaped demise; if Indians had been in the region, none rose against them. Delayed effects from the massacre on Elizabeth City and the rest of the colony occurred two years later. In June 1624, the Virginia Company's charter was annulled and the colony came under the Crown's jurisdiction.

In October 1624, shortly after the annulment, the General Court of Virginia orders the construction of a church on Company land to the east of the Southampton River. The court asks the churchwardens of the Elizabeth Parish to bring "in their Accompts wch they have collected and gathered upp towards the building of the Church wch is presently to be disposed of towards ye payment of workmens wages" (General Court Minutes, Oct. 10, 1624). Elizabeth City Parish, therefore, is documented in 1624, as preparing a building for worship in accordance with legislation of a year earlier. Along with the church, an enclosed burial ground was to be included, according to the law.

The location of this structure was discovered by Jacob Heffelfinger in 1910 and the Association for the Preservation of Virginia Antiquities (APVA) archaeologically studied it from 1966-1971. The APVA were able to confirm its age and its probable architecture. An historical and archaeological report by Ms. Eleanor Holt, a member of the APVA and the site's historian, has been prepared and is awaiting publication. Ms. Holt has provided an extensive documentary history of the early Elizabeth City Parish, beginning with the church's construction in 1624. It is hoped that the report can be published soon.

In 1620 the Company's charter gave the General Court the right of "patronage of the minister and parishes of the lower Ancient Burroughs."

The court on Oct. 10, 1624, therefore, appoints the minister for the Elizabeth City Parish as well as organizing the payments for the church building. The patronage of ministers was eventually delegated to the vestries of the parishes by the General Assembly. The Assembly, however, retained the authority to create parishes.

Because no ecclesiastical authority from England was ever present for these patronages, the civil bodies delegated the responsibilities. This led to a vestry which now had a means to control their parishes' activities. The parish vestry could use their responsibility to acquire or refuse clergy. In England, the Bishop of each diocese had this prerogative after the local lord of the manor had suggested a candidate. The English clergy were protected from local controls, which could influence their administering of the parish. The colonial vestry, in contrast, now had the power to control locally without a check. The vestry could go along with or against the clergy with an authoritative effect. After the colony was taken over by the Crown, the trends of the legislation under the Company's rule continued. The Crown never initiated full ecclesiastical control by the Church of England. The Bishop of London, almost by default, dealt with any strictly ecclesiastical problems. The Crown allowed the civil bodies to continue administering the colonial church.

In order to gain an account of the colony, the King's commission sent an agent to collect information. Between January 20 and February 7, 1624/5, Elizabeth City contained 358 residents of which 276 were white males (Va. Magazine of History & Biography, 1900, viii, 4:364-67). White males above 16 were levied 10 lbs. of tobacco and one bushel of corn for the support of the parish's minister in October of 1624 (General Court

Minutes, Oct. 10, 1624). If the 276 males were of tithable age, then 2760 lbs. of tobacco were collected to support a minister in the same year that money was collected to pay the "workmens wages" for building the church. It must have been a hardship to provide support as a parish for a minister and church in the same year.

Elizabeth City was the most densely populated parish at that time based on the data collected for the Commission's report. The parish included the north bank and south side of the James, along Sewell's Point and down the Elizabeth River. The large area of the parish increased the number of residents within it, so that to follow legislation with financial support was probably easier at Elizabeth City than at the other settlements.

The parish's area was divided into an upper and lower part. Burgesses elected to the House came from the lower and upper parishes of Elizabeth City beginning in 1628/9 through 1633. According to George C. Mason, histographer of the Virginia Diocese, the upper part was the region soon to become Lower Norfolk County in 1637. The lower part of the parish was the region first settled along the Hampton River.

In 1634 the General Assembly reorganized the civil designations for settlements. The settlements were arranged into shires or counties. A sheriff and local court had already been functioning since 1629. The legislation for counties established a civil organization separate from the church's. At first counties were often coterminous with parishes. As the population of each county grew, often more than one parish was possible within each county. The civil government did continue to decide the bounds of the parishes as well as the counties.

By 1637 when Lower Norfolk became a county and Warwick Parish and Charles River Parish branched off, the original geographic area of Elizabeth City became one of the smallest counties. Elizabeth City Parish and the county continued coterminous from 1637. The number of parishioners, however, within this geographic area were enough to support a church and a minister in 1634. The population was recorded at 859 when the county was formed (Holt, 1972:44). The region remained one of the denser residential regions of the colony.

Additionally, tithables from parishes for their clergy remained 10 lbs. of tobacco and one bushel of corn from the 1620's to 1661/2. As the tobacco market fluctuated greatly and the tithe remained fixed, the clergy's income was minimized. Only ten ministers for 48 parishes existed in 1662 as a result. The affordability by the parish for a minister together with repairs for a church was better attained with the minister's prolonged fixed rate, however, the minister and the church building probably suffered. A higher rate was finally enacted by the General Assembly in 1661/2 at "80 lbs per annum besides his prerequisites and glebe viz. if in tobacco at the rate of 12 shillings the hundred, in corne att ten shillings per barrell, if in money by bills of exchange" (Hening, 1969,II:45). In tobacco the per annum amount was to be 13,333 lbs. If the parish tithables were still just 276 as they were in 1624 when the church was built, then each parish tithe would equal 48-1/3 lbs. of tobacco per annum or 4 lbs per month. Presuming the parish tithables had increased since 1624, the cost of a parish minister and a church was not very costly. Of course the parish debt, a public levy, and a county tax were all annual fees. Together, by 1690, they equaled 100 lbs. of tobacco per tithable (Holt, 1982:38).

In 1661/2, a code, passed by the General Assembly in March, outlined the official duties for the parish vestry. These entailed assessing and proportioning levies for building and repairing churches and chapels, for provision of the poor, for maintenance of the minister, and for other duties necessary for managing parochial affairs. Twelve able men of the parish were to be chosen as vestrymen out of which two were to be appointed churchwardens. Annually, the vestry and the minister together chose the wardens whose duties were to keep the church in repair, provide books and decent ornaments, a bible, common prayer books, and other items for the church such as a bell when the parish was able. The wardens had to collect the minister's dues and requested where the parishioners were to bring them for the minister's conveniency.

Before any warden or vestrymen took office, an oath of allegiance to the Church of England was said. If anyone died or left the parish, another choice would be made for a replacement. The vestry position was for life while a warden's was for a year.

The code for the vestry empowered them again with parochial control. The parish was strongly becoming a local self-governing body. This local government was increasing as authorized by the state legislature.

While the wardens probably pursued their duties honorably, the timbers which held the 1624 church together finally became too rotted. When the "Dreadful Hurry Cane" of August 27, 1667 hit, the church, like other structures along the tidal estuaries probably suffered greatly (Holt, 1982:62-63). The subsequent disrepair of the church, plus the inconvenient locale of the church in a parish which had expanded inland to the west, all precipitated the move of the parish's church site.

Its date of construction is not known specifically, however, in 1667 two documentary references imply that 1) a new church at Kicotan existed and 2) the old church was still being used as a burial place to at least 1698, when the old church was ordered pulled down. The will of Robert Brough requests "burial in the old parish church of Kigguotan", dated April 27, 1667 (McCabe, 1853:123). In the will of Nicholas Baker, made on December 21, 1667, he asks "my body to bee decently buried in ye new church of Kighotan" (McCabe, 1853:122). The new church was in service by December of 1667 and perhaps prior to April of 1667, since Brough's request pertains to an "old parish church", inferring its usefulness had already been replaced. If the parish's church site was moved by April 27, then the hurricane in August would have harmed a church on Hampton Creek, which was already out of service.

The old church was still a favorite burial spot in 1676. In 1676 John Tabb, whose tract adjoined the church lot of 1624, was presented by the Grand Jury as a nuisance. He had barred the "King's path to the old church and had not made another (McCabe, 1853:124). Access into the old church-yard was still considered necessary in 1676. A tombstone, surviving within the church's site, appears to have the date 1691 which again suggests continual use of the yard and the church interior for burials (Holt, 1982:69).

However in 1698, orders at a court held for laying the public levy, authorized Walter Bayley "for pulling downe ye old church and setting up benches in ye courthouse", for 400 lbs. of tobacco (Elizabeth City County Court Records, 1688-99). This reference ends the documented life of the 1624 church site of the parish.

About the new church site of 1667 little information has been gathered. Its location was uncovered in the 1930's by St. John's parishioners, Mr. Ransome and Mr. Darling. The only published record of their investigations is in Mason's book when he describes the brick foundations which had recently been uncovered (Mason, 1945). The West Town Quarter was the locale's seventeenth century name. Today the church site is enclosed with a modern brick wall along Pembroke Avenue. Several gravestones are visible in the yard all dating from the late seventeenth to the early eighteenth century. This parish church served the town of Hampton for 61 years. Hampton was legislated as a port town in 1680 and 1691; its final organization and surveying took place in 1692. The 1667 church was one mile northwest of the Town's gate which was on West Queen Street near Back Creek.

Since the court records exist from 1688 to 1699 and from 1715 to 1727 (orders, deed, and wills), a search of these for parochial information would be an asset for the study of the 1667 church site. It would reveal the life of the church site and its parish as the eighteenth century begins, a very transitional period for material culture in colonial America. It is in 1724 when grumblings by the parish inhabitants begin, regarding the presiding vestry. These continue until 1727 when another church site is selected for the parish. The 1727 church lot is the site about which this study is specifically concerned.

PART 2. THE 1727 CHURCH LOT OF ELIZABETH CITY
PARISH: ITS DERIVATION, EXPANSION, AND DEMISE

The story of the 1727 church site begins with a feud between the vestry and the majority of inhabitants within the parish. It is curious and refreshing to know that complaints against the parish vestry were not infrequent in the early eighteenth century. The parishioners petitioned the General Court for hearings about their dissatisfactions and more than once a vestry was disbanded and a new one chosen by the parish (Henings Statues). It was a curious situation because the dissolved vestries were often "pretended", meaning the members were not officially chosen. This seems to indicate an elite group of local property owners on the vestry who reappointed new members themselves without allowing the parishioners any choice. Such a situation is easily conceivable. Vestrymen were chosen for life and when one member died, they could legally reappoint another replacement. The parishioners chose the first vestry and, thereafter, often did not have anymore input into future vestries. The only way to change the membership was by petition to the General Assembly which had originally given the vestries their code of responsibilities. When these duties were not being performed to the satisfaction of the majority, it was correct that the "pretended" vestry should be abolished and replaced.

So it was in 1724 when the Grand Jury presented "the church wardens of the parish (Elizabeth City) and County for not keeping the churchyard in good repair" (Mason, 1945:107). The 1667 church, by this time, was 57 years old. The 1624 church lasted 43 years before relocating and was finally torn down after 74 years had passed. The soundness of wooden structural members in the Tidewater climates of Virginia are 20 to 30

years, if lodged directly in the ground. The church's foundation of brick raised the sills and/or posts off the ground and prolonged their life.

If a list of the seventeenth century church sites is examined, it is quickly noticed that a consistent pattern exists between site movements and the dates of these movements. Every 50 to 80 years, on an average, a new parish church was built and/or it moves its location. Two things are obviously influencing this: 1) an increased immigrant population which is settling further west and 2) the environment which is destroying the early timbered churches at an average rate. The first is pertinent, because conveyancy of the church to the parish is a legislated requirement (Hening, 1969,I:1623/4). The second issue can be delayed or increased. The environment's influence is delayed, if the wardens and vestries are consciously repairing the church's structure, continuously, as they were directed to do by legislation (Hening, 1969,II:1661/2). The legislators recognized how often wooden buildings needed repairs in Tidewater, since most of their private structures were built of wood (Carson, 1981). Also, if the parish levy was substantial, it could afford regular expenditures towards the repairs for the church building. Otherwise, the church would soon arrive at a state of such disrepair that no improvements would suffice. In combination with the above factors was the responsibility of the chosen vestry to affect the repairs.

By December 15, 1725, the Council heard another complaint about the vestry. Representatives from the "greater number of the Freeholders and Inhabitants of the parish" complain about the long time inconveniency "of the situation of their Parish Church, and other proceedings of a pretended Vestry are still endeavoring to increase the grievances of the people by

building a new church at a place yet more inconvenient than the former" (McIlwaine, 1930,IV:94). The inhabitants ask to present a petition for their dissolution and a date is set for the hearing (Appendix I).

The concerned inhabitants, preparing for the presentment, collected funds by April 18, 1726, to hire "lawyers in order to obtain an Order for a due Election of a Legal Vestry in Eliz: City Parish" (Appendix I). The collection memorandum is witnessed by all those reimbursing Hollier and Jenings for the money (Appendix I). The inhabitants present their petition on April 22, 1726, four days later. At the hearing against the vestry, the inhabitants asked for time "to examine witnesses in the County who are ancient and unable to travel", and the deputied vestry representatives requested "Council to be assigned them" (McIlwaine, 1930,IV:97). John Randolph, Esqr., was the assigned Council to the vestry and it was "ordered that such witnesses as the pet^{rs} shall judge material to prove the allegations of their petition be examined on oath by any Justice of the Peace of Eliz: City County, and their depositions returned to the Council Office to be made use of at the hearing of both parties which is hereby appointed to be on the last Thursday in May next" (McIlwaine, 1930,IV:97).

Unfortunately, the next meeting did not occur until October 27, 1727, over a year later, which finally settled the disagreement. In the meantime, growing conflicts must have been great. When the hearing was finally called, the Church had become "so ruinous it is dangerous for them to repair thihter for the performing of Divine Service, and that great differences have arisen between the Inhabitants of the said parish concerning the place where a new Church should be built in the said parish" (McIlwaine, 1930,IV:151).

Of the men listed on April 18, 1726, who paid for lawyers in their cause, several of them had lands either along the Hampton River or across the river at "Fortfields: (Appendix I). It appears as if the complaints about inconveniency are coming from the residents on the east of the parish, including the originally settled areas. The eastern parts of the parish in 1724-27 included property to the east of the Hampton River as well as in Hampton Town which was situated along the west bank of the river. The new site chosen by the vestry apparently was further west from the 1667 site or perhaps near it. Traveling to the 1667 church site for those on the east of the parish had been inconvenient for a long time. They now wanted a more central location. Travel by water had been replaced by road travel early in this parish since the 1667 site was inland away from a water route. Those on the east had to travel by water across the river and then by land each week to attend Divine Service.

These disagreements had been brought before the House of Burgesses shortly before the October 27, 1727, hearing. The House had ordered "that the present Vestry should not proceed to the building of a new Church before the next session of the Assembly, which is complain'd of us a great grievance to the Petitioners and other Inhabitants who have petitioned the Governor for relief therein" (McIlwaine, 1930, IV:151). Because the vestry and petitioners were at such odds with one another, by October 7, "the Governor this day in Council took the matter of the said petition into consideration, and upon hearing of all parties by their Council, it is the opinion of the Board that the new Church ought to be built in the Town of Hampton as the most convenient place in the said parish, and that the Vestry be at liberty to proceed to the building of the same accordingly"

(McIlwaine, 1930,IV:151). The Governor had decreed a settlement about the general location for the church, however, the dispute over the specific area within Town continued for three months.

The choice of the present lot in 1727 is documented in the county court records extant at the Elizabeth City County Courthouse. A court order dated January 7, 1727, demands that "Mr. Jacob Walker and Mr. John Lowry are appointed to Lay off and value an acre and half of Ground at the upper end of Queen Street joyning upon Mr. Boswells Lott for the Building of the Church thereon" (Eliz: City County Records, 1723-29:226). This site, in 1727, was just outside of the town limits on the western extension of Queen Street as the road continued further inland (Figure 27).

The Justices present on January 7 were none of the petitioners from the April 18, 1726, list. Since the vestry usually represented the influential men of the community, some, if not all the Justices on January 7, were probably on the parish vestry. Present were Joshua Curle, James Wallace, Jacob Walker, and Wilson Cary. The Cary and Curle family owned lands to the west of the Town. Their lands were acquired in the late seventeenth century. Some of the petitioners, on the other hand, held lands to the east of the Town. In the end, the site for the church was not within the Town proper, but on its outskirts only one mile southeast from the 1667 church site. It appears as if the court ruled in favor of a settlement for the vestry. Based on the hearing, the vestry had evidently wanted a more western location. They received a close proximity to this on the west end, outside of Town. The petitioners would have to go one less mile to Divine Service, but with all their complaints, a lot closer into Town would certainly have been more favored, especially for those traveling

west across the river from Fortfields, Strawberry Banks, and Buckroe. Nonetheless, the decision had been made and the court continued: "It is agreed by the Minister, churchwardens, and court to furnish Mr. Henry Cary with wood, at the rate of six pence p load, to burn bricks for the church from the school land, signed Joshua Curle" (Eliz: City County Records, 1723-29:277).

The minister of the parish during this controversy was Reverend James Falconer (1720-27), who formerly came from the Elizabeth River Parish, Norfolk. In May 1724, he answered a set of standard queries sent to the colonial clergy. "Of what extent is your Parish, and how many Families are there in it?". To which he replies, "It is about 50 miles in circumference, and there are about 350 families" (Perry, 1870:293). He also states that "Divine Service is performed in my church every Sunday and on some of the feasts and festivals, and the most of the parishioners attend it; there being very few dissenters in this parish" (Perry, 1870:293). He has sufficient support from these conforming families, since he acknowledges that "Due care is taken to preserve my house in repair, and at the parish's expense", as well as having a glebe upon which he and his house reside (Perry, 1870:294).

From 1724-27, the parish is large enough, having at least 350 tithables, to maintain its minister's property. It is also able to contemplate buying a new lot and building a new church out of brick, a more expensive medium. The minister's salary fluctuates with the tobacco market. The 13,333 lbs of tobacco, promised by 1661/2 legislation was raised to 16,000 lbs. in 1696. According to Mr. Falconer, his 1724 annual income from this is 65 lbs. sterling compared to 80 lbs. desired for in the 1661/2

legislation. The tobacco market in the mid-1720's apparently had declined since the mid seventeenth century; 13,333 lbs. of tobacco in 1661/2 equaled 80 lbs. sterling while in 1724, Falconer was only getting an average of 65 lbs. sterling for 16,000 lbs. of tobacco. This is a difference of 2667 lbs. of tobacco worth 15 lbs. sterling. In the 1724 tobacco market, 8.89 shillings per hundred pounds of tobacco compared to 12 shillings per hundred in 1661/2 (1.6 shillings per pound of tobacco in 1724 versus 2.4 shillings per pound in 1661/2).

Perhaps because of the depressed tobacco market the parish vestry was finding it difficult to maintain the church building with the remaining parochial levy after the other expenses, such as the minister and his glebe. If the building was 57 years old it probably needed constant repairs to keep it standing, especially if timbered above the brick foundation. In any case, a combination of circumstances, the economy, the inconvenient location due to the western migration, and the Tidewater environment worked collectively to influence the controversy and the ultimate relocation.

A repercussion of the affair occurred the following February 1, 1727, when the General Assembly in Chapter XIX passed "An Act for dissolving the present Vestry of the Parish of Elizabeth City, and for appointing a new Election of Vestry Men for the said Parish" (Hening, 1823, III:240). Justification for their dissolution is brought by "the divers Inhabitants" of the parish "who have complained that the vestry was not lawfully chosen or qualified and imposed hardships on the Inhabitants" (Hening, 1971:323). To remedy this, a new election is scheduled for the last day of April, 1728, two months later (March 30 is New Year's Day until 1751; Appendix I). It

is interesting to note that by 1749, the House ruled against the Governor and Council having the power to place and build churches and chapels (Brydon, 1947, II:262). This gave the vestry and the parishioners the responsibility of the choice. Thus concludes the parish's history up until the choice of the church lot of 1727.

The church lot, on the outskirts of town was property which had already been owned by several parties when it became and has since remained the property of Elizabeth City Parish. The earliest record of ownership is in 1624. William Clairborne who was appointed surveyor of Virginia in June 23, 1621, acquired a patent along the Hampton River in 1624 (Brown, 1969:454). He is authorized to sit on the King's Council in Virginia when Sir Francis Wyatt became the new governor on September 5, 1624 (Brown, 1969:614). Before Wyatt's arrival, Clairborne had already been given a patent on June 3, 1624, for 150 acres of land on the west side of Southampton River within the Corporation of Elizabeth City (Chapman, 1941:21). Fifty acres of this patent eventually became the site of Hampton Town. Clairborne became a more prestigious public official and landowner within five years of his arrival. On March 14, 1626, Charles I appointed "Wm Clairborne to be our Secretarie of State, of and for the said Colony and Plantation of Virginia", and by May, he owned two other large tracts, Archer's Hope and Blunt Point (Brown, 1969:621). Clairborne retained the tract in Elizabeth City for most of the seventeenth century. He continued to be active in the state and local governments. In 1680, he sells the tract on the banks of the Hampton River to Captain Thomas Jervise or Jarvis and references to Clairborne, in the records, dwindle after this (Elizabeth City County Records, March 9, 1697/8).

Captain Thos: Jarvis married the widow of Nathaniel Bacon and their marriage must have been by November 25, 1679. On that date, Jarvis was appointed to take charge of Nathaniel Bacon, Jr.'s estate (McIlwaine, Minutes:125). He and his new wife bought Clairborne's tract in 1680, but in June of that year, the General Assembly passed "an Act for cohabitation and encouragement of trade and manufacture" (Hening, 1823,II:472). Places for towns in each county were named, such as, "In Elizabeth City County on the west side of Hampton River on Mr. Thomas Jervise his plantation where he now lives" (Hening, 1823,II:472). The order required the sale of fifty acres of Jervise's tract upon which lots for a town were to be surveyed. Jervise was in debt and did not complain about the sale, but when the port town legislation was rescinded, he apparently got worried about his insolvency. Jervise died in 1684 and in his will the sale of his 200 acres in Elizabeth City is authorized to defray his debts. A court case, on March 5, 1692/3, settled the sale of Jervise's property. It was finally sold to "Coll^o W^m Wilson" for 150 lbs. Any excess from the sale was to go equally to Jervise's then wife Elizabeth Mole and her infant son Thos:, Jr. (Elizabeth City County Records, 1688-99:2).

On April 16, 1691, the General Assembly had once again passed "An Act for Ports and Towns" in which the same site in Eliz: City County was chosen. The place for the town "ffor Elizabeth Citty County", was to be, "on the west side of Hampton River, on the land of Mr. William Wilson, lately belonging unto Mr. Thomas Jarvis deceased, the plantation where he late lived, and the place appointed by a former law and severall dwelling houses and warehouses already built" (Hening, 1823,III:58). The remaining lots, not sold since 1680, were purchased by feoffee from Mr. William Wilson as the town's population increased.

Mr. Wilson continued ownership of the 150 acres west of the town's 50 acres. The 150 acres in 1695 began along a branch of the Back River which stretched up to the town gate (Nugent, 1963,II:397). In 1691/2, Captain William Wilson owned property abutting a half acre lot at the northwestern boundary of the town. The lot is sold to Charles Jennings by the feoffee committee for the county for 125 lbs. of tobacco (Eliz: City County Records, Deeds and Wills, 1689-99:30). Captain and then Colonel William Wilson was the Naval Officer for the Lower James River and held property in this area throughout his life in Virginia.

In November 15, 1701, W^m Wilson's son, Captain Willis Wilson died at twenty-eight years of age and is buried on their property just outside the town gate along the north side of Queen Street (Boston Evening Transcript, July 10, 1861). At 67 Col^o Wilson died (June 17, 1713) and his wife, Jane, one month earlier at 63 (in May). Both are buried in the plot with their son along West Queen Street. This family burial exists today within the churchyard of the 1727 Elizabeth City Parish Church.

Col^o Wilson left his properties to his wife and to Wilson Roscow in his will. Because they both died in the same year of his will, the next relative to inherit his Elizabeth City tract was a grandson, Wilson Curle. His ownership is contested in a series of ejectment suits (1736-37) brought by plaintiffs who had been leased property by Curle and who had found others living in the houses on the lots. The lots had originally been feoffeed, but were exchanged with Wilson for others in town in 1704. The first feoffee owner, however, continued passing his false ownership of the lot, thereby, having lots which had two owners by 1736. The court ruled in favor of Wilson Curle's (born in December 18, 1709) leasees, based on Col^o

W^m Wilson's last will and testament in which Wilson Curle is named devisee of all unfeoffed land (Eliz: City County Records, ejectments, 1736-1770).

The church lot lies within the bounds of Coll^o Wilson's tract which was his grandson's, Wilson Curle, in 1727. The parish in 1727, therefore, must have bought the lot, which had been valued and surveyed at the west end of Queen Street, from Wilson Curle. The lot remained the same size until 1877, when a rectangular tract, 425 feet from Lincoln Street on the north, was acquired from the Sinclair Estate.

In the intervening years between 1727 and 1877, the Curles Pasture, which surrounded the church lot passed ownership through marriage and deeds. Wilson Curle, born in 1709, bequeathed the Pasture in his will of 1748 to his wife and to his son, Wilson (Elizabeth City County Records, Wills, 1737-49:289). His wife, Priscilla, renounced this will. The son, Wilson Curle, bequeathed his property in Hampton to his wife and to his daughter, Elizabeth, at his death in 1792 (Eliz: City County Records, Wills, 1787-1800:85). His wife, Lockey Curle, had ownership after his death until Miles Cary married their daughter. Miles Cary has the Pasture tract surveyed in 1811 by Thomas Nicholson. It is again surveyed in 1835 when Cary sells the Curles Pasture Tract to Thomas Armistead. Cary subdivided the original tract as he sold it. Westwood Armistead received Pasture Point, the eastern part of the tract, via a deed of 1821. By 1842, Jefferson B. Sinclair owned "the Pasture". Sinclair died leaving large debts which are defrayed as his properties are sold. The vestry of St. John's Church discussed the purchase of a new cemetery at the rear of the churchyard as early as November 1871 (Vestry Book of Eliz: City Parish, 1871:242). The deed from Sinclair's executors to St. John's Trustees is

dated 1877 (Eliz: City County Records, DB5:147). The discussed sale of Sinclair's lands to the church went from 1869-1877, according to the deed.

The north wall of the churchyard was removed sometime before 1878, after the purchase of the new cemetery in 1877. In the vestry book, in April 1878, funds for the grading of the "old churchyard" have been expended. The vestry must decide whether "funds of the cemetery may be expended on the churchyard and to what extent - while the first outlay for grading the whole of the old yard will be considerable yet when once done it will not need to be done again and the yard can be kept in a proper condition at less outlay than is now required to keep it in bad condition" (Vestry Book of St. John's Church, 1878:308). Grading would occur after the removal of a wall in order to cover the footing sufficiently.

The east wall of the old churchyard still standing in 1901 (Plate 1) was partially removed in 1924. A church bulletin tells of the church in its Easter finery with new marble steps for the Parish hall (built in 1889 on property acquired in 1886 from the Dye family) and the space between the Hall and the church building is opened up, after the "1759 churchyard wall" was removed (Plate 2) (St. John's Church Bulletin, March 1924). Fifty-six feet (56.6') of a wall remains on the original east line of the old churchyard. It abuts and runs along the parish buildings. When the Parish Hall was built, the building's corner protruded through breaks made in the wall (Plate 3). Today this section stands as a reminder of the old churchyard's eastern boundary (Plate 4). It is a mixture of repairs testifying to the many others which have been made to the old wall line.

The west wall of the old churchyard still has a section which is a remnant from the original. The remnant extends north from Queen Street.

Below the present string course for sixty feet, the Flemish bond is original (Plate 5). Above the string course and further down the wall, which is standing today, is newer brick. In the early 1970's, the vestry decided to replace the west wall because it was structurally unsound. The building in the next lot was keeping the wall from collapsing. This was when concerns began over the old churchyard wall and its original location.

The south wall line became an iron fence in 1892 (Vestry Book of St. John's, 1892, no. 2:68) (Plate 6). Prior to this, the south line had been a wooden fence for awhile. The wooden fence is visible in this photograph taken shortly after 1869 (Plate 7). The church's interior and glass panes, which had been destroyed in August 1861 during the burning of Hampton have been restored. The remains of the brick yard wall on the south are visible in this picture (Plate 8) taken during the war. The south wall of brick must have been so fragmented during the war that a wooden fence was cheaper as a replacement after the war. The steeple fell during these years, thus, drastically altering the image of the original eighteenth century church with its brick wall surrounds and towering belfry (Plates 9 and 10).

Consistent with this image change in the nineteenth century comes the terminology of a "cemetery" versus the "old churchyard". When the property is added in 1877 to the north, references in the vestry book to the new burial grounds are called "the cemetery". The burial grounds within the old wall lines retain the name, "old churchyard" or just "churchyard", throughout the nineteenth century vestry book. By 1932 this distinction is gone. The present sexton came in that year. He does not remember where the wall lines to the old churchyard had been (Parker, 1982). The oral knowledge about the old churchyard's location was gone. Also, a grave

dated 1917 is placed over the north wall line in the northwest. This may indicate that the plot was designated after having forgotten the presence of a wall footing beneath. To remove a wall footing is no easy task. Therefore, the oral and written history of the church lot and its wall boundaries apparently disappeared in the early twentieth century.

CHAPTER II

PART 1. LEGISLATIVE HISTORY ABOUT COLONIAL ENCLOSURES

The tradition of enclosures around colonial churchyards came with the English settlers as a reflection of their culture's religious background. The early aborigines of Britain appear to have adapted the "churchyard" from Roman and Celtic Christian usage (Burgess, 1979:20). The Roman Christians began interment in catacombs which in the fifth century was supplanted by surface burial grounds inside chapels. These chapels grew to be basilicas and the martyrs were buried inside them. Pre-Christian Rome practiced intramural interment, but soon basilicas inside the city became the resting place for the martyrs as well as the faithful who desired burial near sacred relics (Burgess, 1979:20). Thus, the practice of churchyard and chancel interments had begun.

The churchyard is also considered a product of the spatial arrangements found within monasteries. The interior of enclosing walls, of garden plots and of a cross with a surrounding burial ground for the monks, was copied by the village converts. The villagers discovered Christianity from the missionaries sent out from the monasteries. When the village missionary died, the village cross, set up for instructional purposes (preaching-stations), became the location of burial for the deceased leader. His converts, desiring burial in sanctified ground, chose the area around the cross and near him.

These "preaching-stations" were often chosen because the site was already venerated for pagan worship by the Druid priesthood. The Druids' practices required a tumulus or barrow which was unfenced, in order to set up their circular arrangement resembling the sun (sun worshippers). When

the same space was adopted by the Christians, it led to a circular burial ground around the crosses on top of a natural mound (Cornish, 1946:32). From pagan times, the same locales were recognized places for communal meetings. The first churches, which were erected by the communities, were built near the mission crosses. The churches were already centered inside the city and on raised ground.

The preference of churchyards for burials versus grounds outside the city is documented in the sixth century by Gregory the Great. He recommends burials inside the yard, so that Christians going to services can remember the dead in their prayers (Burgess, 1979:22). The churchyards' dimensions are equalled to a garden size in the eighth century or are later suggested to be thirty feet around the church. An acre, with the church at its center, was prescribed in 943 by a Welsh king, but no legal size is defined even by the late fourteenth century (Burgess 1979:22).

The presence of an enclosure around the dimensions is not mentioned until 1229, when a constitution of the Bishop of Worcester "specified that the churchyard should be properly enclosed by a wall, hedge or ditch, and no portion of it was to be built upon" (Burgess, 1979:23). "In 1267, another bishop after stating the necessity for enclosure, ordained that grazing animals should be prohibited" (Burgess, 1979:23). By 1603, a canon from the Ecclesiastical Canons of the Church states it is the churchwarden's duty to be sure that the churchyard "be well and sufficiently repaired, fenced and maintained with walls, rails, or pales" (Burgess, 1979:23). Local landowners often supplied these fences for the warden.

On the other hand, parish priests are reported to have used the churchyards as their own property, grazing livestock within its confines. Some ministers allowed sheep, cattle, and pigs to wander the churchyard, pigs rooting up the graves. Such accounts are from the sixteenth century through the eighteenth century, being common practice in some English counties (Burgess, 1979:23). The temporal uses of the church and its surrounds arise from their communal ownership. "It was community property in which both the interest of God and man were invested" (Burgess, 1979:-23). Certain areas of the church were used socially as a result: the porch, the nave, and the churchyard. The churchyard was always a convenient public meeting place being near the center of town. Because it was public property, social gatherings frequented its premises. Specific uses of the churchyard, both religious and secular are discussed in Chapter V.

The existence of enclosures for secular purposes only, was prevalent since the time of the agrarian revolution. The three field rotation system used by the English villagers was based upon common arable and pasture lands. Private gardens and orchards existed within the village lots. The manorial lords on whose property the villagers worked, made various tenure transactions (such as freeholds and copyholds). Common pastures and common arable, however remained the mainstay of the village population. The animals, owned privately, were sheltered within the village when not grazing on the common pasture. Enclosures around the orchards and gardens were necessary to keep the animals from wandering into them. Out of the produce from these private plots came the manorial dues, so that their maintenance was important.

Private ownership of arable and pasture begins at the end of the medieval period. Inflation brings about the consolidation of properties by freeholders and manorial lords in order to increase revenues. Common arable and pasture also is swallowed up by consolidation. Enclosures are put up around common lands. This change in land use affected a large proportion of the village peasantry who had little private arable and depended on the commons pastures for their animals' sustenance. Vast unemployment was the result. To remedy it, an Enclosure Commission was set up in 1548, challenging the growing wool merchants and enclosing landlords (Smith, 1976:144). The Commission's aim was to get legislation passed prohibiting enclosures and returning the land to communal use. The Commission was never effective against the merchants' lobbying efforts. There was great profit in the wool market, the backbone of the growing textile industry.

It is these practices with which the colonials were familiar, who settled in Tidewater, Virginia. The Ecclesiastical Canons of the Church of England passed in 1603, as mentioned earlier, were models for much of the religious disciplines imposed by the colonial governments, both before and after the General Assembly was formed.

In the earliest laws of the colony were provisions for the church for holding divine service, and for an enclosed place for the burial of the dead. The General Assembly's first act, concerned these prerequisites for every plantation.

Act I March 5, 1623/4

"There shall be in every plantation, where the people use to meete for the worship of God, a house or room sequestered for that purpose, and not

to be for any temporal use whatsoever, and a place empaled in, sequestered only to the buryal of the dead" Hening, 1969, I:122). At first the commanders of each plantation held the responsibility of assuring obedience to this law. If he failed, the plantation would be fined.

August 7 and 8, 1626

"It is ordered that an order be sent to ye Commander of every Plantatione yt according to the Acte of ye late General Assembly some decent house of fittingeroome be erected and builte for the service of God in their severall Plantacens and yt it be sequestered for that purpose only and not for any other use or purpose wt'soever, likewise yt a place be stronglie paled or fenced in for the buriall of the dead. And these things to be carefully Accomplished in all places by our lady day enservinge, And for default thereof every Plantatione to pay five hundred pounde waight of Tobacco to the publique Treasurer". (McIlwaine, 1924: 105-106).

The fine of 500 lbs of tobacco per plantation would have been a considerable sum in 1626 when tobacco as a crop had just been planted only ten years earlier. The first African slaves landed in 1619, but only a handful were present and the survival rate of the colonists in 1626 was still unstable. These factors would have kept the labor force small on the large tracts of land (1500 acres was the usual size of a plantation tract).

From this order, comes a sense of purpose regarding the enclosure. It is to be strong and can be either paled or fenced. In Elizabeth City Parish's vestry book is a description of paling used in the eighteenth century. An entry for June 16, 1761, called for "a garden to be pailed 110

feet square on the glebe of this parish with heart of good white oak posts and rails, the posts to be six inches square, and the rails three to a pannel and the pails of the heart of pine" (Vestry Book of Eliz: City Parish, 1761:108). The undertaker was hired and his instructions provided by the vestry on August 4, 1761.

"Mr George Walther Junior this day agreed with the vestry to Pale a Garden 110 feet square on the Glebe of this Parish and to find all Materials for the same in the following manner Viz: The Posts of fingerleaf White Pack sawned six Inches square seven feet long clear of sap, the rails to be sawned triangular of White Oak clear of sap and the heart of Pine Pales drawn smooth on both sides 4 1/2 feet long, with plank 6 inches broad to be nailed to the posts under the Pales & the Pales to be nailed with 10 penny Nail for the consideration of fourteen pounds current money of Virginia" (Vestry Book of Eliz: City Parish, 1761:109).

Again the Glebe's garden is paled along with other repairs when a new minister is appointed in 1771. "The garden to be rebuilt 132 feet long by 108 feet wide with good white oake posts clear of sap 6 inches square 7 1/2 feet long 2 1/2 feet of which to be in the ground, the rales to be sawed out of good white oak 4 inches square split triangle, and not to exceed 9 feet long, the pales to be sawed out of good heart of pine 3/4 thick after sawed, to be five feet high" (Vestry Book of Eliz: City Parish, 1771:218). The garden is enlarged which may account for the rebuilding, but no mention is made of reusing the old pales just put in ten years earlier. The environment may have made the 6 inch oak posts unsound requiring their replacement at this rebuilding ten years later. If the enclosure for burials, required in 1626, was built as the above fences are described,

it would have been "stronglie paled", but might need rebuilding within ten years.

By 1632 in September, six years after the plantations' orders, the General Assembly passed another law insisting upon impaled or fenced grounds. The General Assembly frequently rescinds all previous legislation in order to rewrite certain laws which need "clearer explanations, likewise some additions and alterations" (Hening, 1969, I:185). Act XVII in 1632 replaces Act XV of February, 1631, without any additions. Act XVII of 1632 does delete a qualifier from Act XV of 1631. The 50 fine in money is "to be employed as the whole bodies of the assembly shall dispose", according to Act XV of 1631 (Hening, 1969:160).

Act XVII discusses first, the demands that churches be repaired if decayed or that the residents of a parish collect the funds for building one in a convenient place. Last of all, it is ordered, in like manner, that some appointed ground be impaled or fenced for burials. It can be assumed that if the fences put up earlier need repairs, it is incumbent on the parish to rebuild them. The churches, built in 1623/4 are needing repairs, according to this legislation, and so would the fences, particularly since their main posts were lodged in the ground. The nine year difference between this law and the first one passed in 1623/4, may indicate the survival rates of wooden timbers set in the ground of Tidewater, Virginia. This rate is close to the one suggested after reviewing the vestry book about paled fences and their rebuildings (a ten year difference).

Act XVII which passed as the first revisal of the laws, was as follows.

"It is ordeyned and enacted, That in all such places where any churches are wanting or decayed, the inhabitants shall be tyed to contribute towards the buildinge of a church, or repayring any decayed church. The commissioners, together with the mynesters, churchwardens and cheefe of the parish, shall appaynt both the most convenient place for all parts to assemble together and also to hire and procure any workemen and order such necessarie businesses as are requisite to be done in such workes. This they are to effect before the feast of the nativitie of our Saviour Christ, or else the sayd commissioners yf they be deficient in theire duties to forfeite 50 in money. And it is ordered in like manner, That there be a certain portion of ground appoynted out, impaled or fenced in to be for the buriall of the dead upon the penaltie of 20 marks as followeth" (Hening, 1969, I:185). Chapter I after this explanation is "That there be a place sett out and allotted for the buriall of the dead in evrie plantation according to the appointment of the commander and minister of the place" (Hening, 1969, I:241).

No mention of the church is made in combination with the burial ground in either of the latter references. The earlier acts mention the church and burial ground in the same law, but are not necessarily to be associated in real space. None of the acts required or even mentioned such an association. Jamestowns' Third Cemetery predating the First Statehouse was not near the church site, but on a ridge nearby. The natural mounds in an area had been the traditional burial spots for the English coupled with the presence of a cross. It is suggested, therefore that sometimes on the plantations, and in the boroughs, the burial grounds were not adjoining the church or considered part of the churchyard.

The last piece of legislation which specifically mentions burial places came in March 23, 1661/2 after the Commonwealth had ended (1640-1660). The laws, some of which reflected the Puritan's beliefs, were repealed and others reenacted at this time. Those laws inferring burials not to be in churchyards were also rescinded. These laws reflected the Puritans' rebellion against Anglican ritual, such as burial grounds around the church near the center of the community. Seventeenth century Puritans in New England had burial grounds outside of town, separated from the meeting house which presided over the center of town (Act XV of 1661/2).

The main point of this legislation which is different from the previous laws is the mention of the hygiene concerns regarding exposed corpses. Their exposure is considered a "barbarous custom" perpetrated by not having fences, so that the burials are disinterred by hogs and "other vermine". It is ordered that several places be appointed as precincts and that they are set apart and fenced in. There is no mention of being within a churchyard. Rather, it appears as if the legislators preferred the burial grounds to be away from the activity of the public and their animals. It does, however, insist upon a public burial place.

The colonists had strong traditions of wanting burial within the churchyard or within the chancel (Cox, n.d.:34). The chancel was usually reserved for the respected members of the society, while the grounds for burial were considered generally for the public. In Virginia legislation, public places for burials, apparently, could be anywhere as long as they were set apart. Evidence from the 1624 church site of Eliz:City Parish and the early Church site at Jamestown, makes clear the chancels and names were being used for burials as well as the yard around the church. The 1667

church site of Eliz:City Parish and the Yorke Village Church of 1667, both have grave plots in the yard around the church.

It is suggested, therefore, that the radical Puritan ideas of the seventeenth century, regarding the proper location of the dead, prevailed in Virginia's legislation. The proper location was outside the city set apart from the place of worship (Brooke, 1981:50). However, the Anglican traditions of the colonists insisted that the churchyard was the public space to be set apart and to be fenced in for the burial of the dead. Consequently, "the Town" plans for ports incorporated the church lot and burial grounds together near the center of town as Anglican tradition decreed. The Puritan severity, was strongest by 1640. In 1640 was the beginning of the Long Parliament. It was dissolved in 1660. Puritanical ritual was dwindling by 1680 as the enlightenment about the world grew and after 1700, the Anglican practices had reached a compromise between popery and puritanism.

In 1705, legislation peripheral to churchyard enclosures in general, passed the General Assembly for the city of Williamsburg. Bruton Parish Church was located on the "greate streete" of the town. Legislation in October, 1705, specifies " That every person having any lots, or half acres of land, contiguous to the great street, shall inclose the said lots, or half acres, with a wall, pails, or post and rails, within 6 months after the building, which the law requires to be erected thereupon, shall be finished, upon penalty of forfeiting and paying five shillings a month for every lot or half acre, so long as the same shall remain without a wall, pails or rails, as aforesaid: To be recovered before any justice of the peace of York or James City county, upon the complaint of any one of the

trustees or directors, and to be disposed of by the directors as they shall think fit, for the use and benefit of the said city and ports thereunto belonging" (Hening, 1969, III:430).

In this legislation, is the first mention of a wall being used for an enclosure. Also, its use is legislated for ports and cities in particular. Construction with brick had already been taking place in England and as the Georgian architecture progressed westward, its medium was easily adopted in Tidewater regions which had plenty of clay deposits. It can be inferred, therefore, that walls of brick were being built around lots within a town setting as early as 1705. Evidence of this, archaeologically, will be discussed in the next chapter. Later in this chapter, historical evidence will be provided for a brick wall around the Eliz: City Parish Church of 1728.

One problem which is raised about the enclosure legislation for churchyards concerns the activities of animals within the burial grounds. Animal control was a problem in colonial Virginia, and especially in densely residential areas, such as towns. Enclosures around residential lots were also legislated in an effort to keep out animals. Town sites were the main problem areas, which is reflected in the dates of the legislation. The General Assembly's acts concerning animal control begin in 1705, the year of the last port town act (1680-1705). By that time several port towns were underway; Hampton was included.

Some of the measures and provisions for trespassing animals will be given. It is included in the discussion, because enclosures around churchyards and burial grounds had a similar function with those around domestic dwellings and their properties.

Enclosure Legislation for secular purposes is not prevalent for the seventeenth century. The only act is dated June, 1670, which is a measure passed under "Bacon's Laws". Those laws were subsequently repealed after the rebellion at the succeeding assembly. No other domestic enclosure law appears again until 1705. The later acts are not unlike the 1670 law regarding the damages, however, the earlier law does not mention the same animals for which it is to apply.

June 1670 Act XIV

"An Act for the further prevention of mischief from unrulie horses. Bee it enacted by the Governor Council.....that if any horse, mare, or gelding, be found trespassing within another persons enclosure, lawfully fenced, the owner thereof shall pay to the owner of such enclosure, one hundred pounds of tobacco for everytime found trespassing, and all other damages allowed by any former act in such case provided, and if it shall happen that the owner of such horse, mare, or gelding be unknown, the party endangered as aforesaid shall put a withe about such horse, mare, or geldings neck, enter the description of the same in the countie court, and after 12 monthes and a day make use thereof until the owners beknowing, and make his right appear, who shall thereupon have his horse, mare or gelding delivered unto him, he paying the damages and charge of keeping the same" (Hening, 1969, II:360). By 1705, not only are horses named, but so are cattle, hogs, sheep, and goats.

October 23, 1705 Act XV, I

"An Act for prevention of trespasses by unruly horses, cattles, hogs, sheep, and goats. I. "Be it enacted by the Governer, Council and Burgesses of this present General Assembly, That if any horses, mares, cattle, hogs, sheep, or goats shall break into any grounds, being enclosed with strong and sound fence, four foot and half high, and so close that the

beasts or kind breaking into the same, could not creep through, or with an hedge two foot high, upon a ditch of three foot deep, and three foot broad, or instead of such hedge, a rail fence of two foot and half high, the hedge or fence being so close that none of the creatures aforesaid can creep through, (which shall be accounted a lawful fence), the owner of the said horses, mares, cattle, hogs, sheep, or goats, and of any one of them, shall, for the first trespass by any of them committed, make reparation to the party injured, for the true value of the damage he shall sustain, with costs of suit; and for every trespass afterwards, double damages, and costs of suit: To be recovered in any court of record in this her majesty's colony and dominion, in such manner as the law, in the like cases, directs" (Appendix IIa,;Hening, 1969, III:280).

The proliferation of these animals is noticed by Hugh Jones in his account of the present state of Virginia in 1724. "In the marshes, woods and old fields is good range for stock in the spring, summer, and fall; and the hogs will run fat with certain roots of flags and reed, which abounding in the marshes they root up and eat" (Jones, 1956:78). Jones comments on the nuisance which they create within towns. Measures taken to alleviate their wanderings are to mark the cattle and hogs which is done by cutting the ears or branding. The marks are recorded by the court and sometimes assigned by the court. Also, he notes that as each town grew in size, the Assembly passed laws forbidding hogs to run at large in its streets (Jones, 1956:199).

The main grain crop raised in the Tidewater area was "Indian corn". He recognizes that Indian corn is the best food for cattle, hogs, sheep, and horses; "the blades and tops are excellent fodder, when well cured" (Jones, 1956:78). Indian corn was very available for the wandering animals

in the fields, so that worm fences were maintained around the plants. Worm fences enclosed tobacco and corn plants. They were split rails laid end to end, with ends overlapping at an angle 60° and the rails on the ground and in the outer juncture of the top, kept the rails in place (Jones, 1956:77). Enclosures inside the towns probably were either paled or wormed fences.

The economy of Tidewater relied on corn and wheat as export grain crops as well as tobacco, the cash crop. Pork was also a stable export product. The presence of corn ensured plenty of pork, since the hogs reproduced quickly with such an available food source. Hogs ran freely and many were wild, not having an owner. Recovering damages incurred by wild hogs, legally, was impossible. Strong enclosures, built for protection against unruly animals, however, was advisable not only for animals legally owned, but for the animals which ran wild.

The proliferation of some of those animals was great enough in some areas, so that separate legislation was passed to compensate. In the August 1734 assembly session, "An Act to restrain hogs and goats from going at large in the said Town of York" passed.

Chap. XXX August 1734

"and whereas it is represented to this Assembly that great numbers of hogs and goats are raised, and suffered to go at large, in the said town of York, to the very great prejudice of the inhabitants thereof: Be it further enacted, by the authority aforesaid, that from and after the passing of this act, it shall not be lawful for any person or persons, owners of any swine or goats, to suffer the same to run or go at large, within the limit of the said town; and if any swine or goats shall be found running or

going at large, within the said limits, it shall be lawful for any person whatsoever, to kill and destroy every such swine or goat so running or going at large" (Hening, 1969, III:466).

The suggested situation from this act was that the town property was being employed as common pasture by some town inhabitants to the detriment of others. Rather than insist upon enclosed town lots, the stray animals are to be killed. It is made clear later that this does not apply to owners driving their swine or goats through the town limits for market or when transporting them. Nonetheless, since pork was valued as an export revenue, to kill the strays was a strong alternative. The population growth of swine and goats must have been exceeding their value as export products. The legislation is, therefore, meant as an internal balance.

Newtown, another port, also received an order from the Assembly in 1745 in which hogs were not to run at large and permits them to be killed if at large" by any person inside the town limits" (Hening, 1969, V:387). To allow anyone to kill them irregardless of the owner's responsibility and legal claims, is a drastic step from the 1705 legislation, which spelled out in detail the damages settlement between the injured parties. Again this indicates a rapid escalation of the swine population in the first two quarters of the eighteenth century.

Elizabeth City's solution to the problem of stray animals is much different than the other towns' regulations. Beginning in 1742, a Pound is authorized to be erected. Those animals found "estrays" in the county were to be impounded at some convenient place or places until claimed and until the damages of the trespass were settled. If damages were forfeited, then the animals were appraised and sold publicly to the highest bidder. This

law is revised in 1744 and 1748 because it was found beneficial to the inhabitants. The last revision of the law was to continue for seven years. In 1756, no further revision occurs (see Appendix IIb for these acts).

In 1748 a revisal of other acts by the assembly were passed in October. Some of the laws passed by earlier assemblies had been repealed under the hand of Governor Dinwiddie from HMS Letters Patent to the Colony. Many of these were laws in effect about how to prevent destruction of property by strays. The repeals included the 1734 acts for York and Gloucester. Other repealed laws were for the Town of Suffolk about preventing "hogs and goats going at large", for the town of Walkerston about preventing "the inhabitants thereof from raising and keeping hogs", for the town of Tappahannock (1744) "to prevent the raising and keeping hogs at large within the said town," and in the same year, for the town of Urbanna, an act for not keeping hogs at large (Hening, 1969, V:567). All these towns were ports established between 1680-1705, like Hampton.

The 1748 assembly renewed the law about animal trespass, which like the 1705 act, stresses the legalities of ownership and the responsibility for damages (Appendix IIa). The Crown may have realized that the laws, allowing any person freedom to kill animals, would quickly reduce the profitable exports of pork. Also, legal responsibilities needed to be clear to settle the damages created by the strays as well as alternatives to keep the strays under control. The solution, as in 1705, was the enclosure of all property, not just those owning the animals. Burial place enclosures were also meant to prevent animals from straying within, which the 1661/2 legislation states. Because burial grounds in eighteenth century Tidewater were part of the church's yard, the area surrounding a church was enclosed. In towns, these enclosures would be needed more, as

evidenced by the legislation to control the prolific swine and goats during this period.

The enclosure medium for the seventeenth century was paled fences, ditches, and hedges. By the early eighteenth century, worm and rail fences are in use as well as hedges, ditches or pales. For those who could afford it, brick as enclosure medium was introduced. In legislation, the building of walls, as mentioned earlier, is introduced as early as 1705 for Williamsburg. Walls are authorized in ports and towns at this time for lots along the main streets. Churches, as will be discussed in Chapter IV, were invariably on one of the main streets within the town's plan.

The Elizabeth City Parish Church of 1728 presides over the west end of Queen Street, the main street running east-west through Hampton. The churchyard was used for burials since its allocation as the church lot, so that legislation would have required an enclosure about it. In the earliest surviving vestry book (1751-1784) of Eliz:City, an account of payment is made on October 17, 1751, about repairs for the church gate. The church gate was to have two cedar posts. The churchyard had an enclosure at this time which needed a gate entrance. The enclosure was probably a wooden fence as required by previous legislation. At a vestry meeting in 1758, an amount of 136.14.4-3/4 is "to remain in the churchwardens' hands until the work and value of the bricks be known by James Latimer, James Naylor, Charles Cooper, and William Skinner, who are to value and report to the churchwardens upon oath" (Vestry Book of Eliz:City Parish:72). It appears that an amount had been collected from the parish and was being held, until the work and quality of some brick laying had been approved by the appointed parishioners (Latimer, Naylor, and Skinner

had been in dispute with the vestry in 1725-1727, about the choice of the new church lot of 1727). At a meeting of the vestry on August 2, 1759, one year and seven months later (January 1 becomes New Year's Day in 1751), it is "ordered that the Church Wardens give notice to the persons who agreed to build the churchyard walls that if the said persons do not finish the said churchyard walls by the 15th day of September next that the Church Wardens shall bring suit against them for not complying with their agreement" (Vestry Book of Eliz: City Parish, 1759:91). The brick wall around the church's yard was being built in 1759 and by 1762 on January 27, the vestry is complaining about the condition of the wall, which had been built. "Col. Robert Armistead, Mr. John Allen, and Mr. Booth Armistead by desire of the Vestry having viewed the churchyard wall report that the said wall is insufficient and that the Church Wardens do bring suit upon the nonperformance of the agreement for building the said wall" (Vestry Book of Eliz: City Parish, 1759:113).

The vestry had not been pleased with the brick layers for the churchyard wall, from their first contract. The results of the suit, if ever brought, are not continued in the vestry book. However, an item to be paid for in the December 22, 1769, accounts reads, "For Booth Armistead for 500 brick to repair the breach in the church wall, to be deducted out of Thos. Wooten's account... 15" (Vestry Book of Eliz: City, 1969:201). Whether the "Church Wall" refers to the yard wall is questionable, but since Booth Armistead was in the inspection committee for the wall, it might indicate that the vestry's fear of an insufficient construction was realized seven years after their desire for a suit against the bricklayers.

Other repairs for the new brick enclosure, mainly concerned the churchyard gates (see Appendix IIc). In 1763, two churchyard gates are made, so that it is known that the brick enclosure had at least two entrances. The earliest depiction of the church (Plate 11) includes a gate on the south and only on the west has there ever been another gate entrance. The steeple, constructed in 1762, was added to the west end of the nave setting off the west end entrance into the yard (the steeple was a traditional addition for English parish churches). Improvements to the yard included benches, horse blocks and racks, and a shelter house built for receiving chairs (small buggies) and horses (see Appendix IIc).

Part 2 The Size of the Church Lot

The size of churchyards, as mentioned earlier, was not legalized in England. However, in colonial Virginia, the Assembly did take up this issue. Contained within an "act for encouragement for erecting mills, it is further enacted that the like liberty shall be granted for two acres of land and no more for erecting churches or courthouses; provided that in case of desertion of any such structure, the land shall revert to the first proprietor he paying what he received for itt" (Hening, 1969, II:281). This law was passed at the September 1667 session of the Assembly. It also provided regulations for the county court "upon the party so refused" to pay for the mill, church, or courthouse. "The court shall order and impower two of their commissioners or such other credible persons as they shall think fitt to view the said land...., then to value the said quantity of land and to put the same into the possession of the party building the said mill or mills, (also churches and courthouses) he (they) paying the consideration the land is valued at" (Hening, 1969, II:261).

At Eliz: City Parish in 1727, one acre and a half acre are surveyed and valued by the orders of the court. The actual size of the yard enclosed by its 1759 brick wall, however, was never known from records and the expansions of the yard into a larger cemetery have erased the original boundaries (the churchyard wall).

Information obtained from Elizabeth City's Court records do provide several survey accounts which give the dimensions of three of the four sides of the yard wall. These accounts provided enough information to archaeologically test within the yard, for the corners of the eighteenth century wall. The details of the archaeology are part of Chapter III. The first surveyor's account which was useful was by Thomas Nicholson. He performed a survey for Miles Cary's Pasture Tract in 1811. Part of the southern boundary of this tract (Figure 1) was the east and north walls of the churchyard. The east wall ran 284.6' N6°W and the north wall was given as 183.5' S84°W. The intersection of the two walls, thereby, made a right angle corner at the NE, according to Nicholson's survey (see Appendix IID for entire survey account)(Eliz: City County Records, Survey Book #1:21). Another surveyor in 1854, also used the north wall as a directional reference as well as the south wall along Queen Street. C. Hubbard's survey was for the town of Hampton (Eliz: City County records, Survey Book #1, 1761-1883:120). His measurement of the north wall varies from Nicholson's. Hubbard gives the wall's length as 190.7' on a S89°W bearing. The south yard wall was 184.19' along Queen Street. The bearing is illegible on the original manuscript, however, from an 1893 plat map of Hampton, the church lot frontage is parallel to the street and is given as S87°05'E at 184.3' (Eliz: City County Records, D.B.23:412). Having these discrepancies in the

records made the archaeology important in order to validate one or the other.

In order to use the archaeology, the approximate lines of the old wall had to be determined within the present cemetery. If the lines ended at corners, which did not have any graves present, then excavation would be possible. Beginning at the southwest corner, known from excavations in 1978-79, 284.6' were advanced $N0^{\circ}W$. An eighteenth century wall footing found archaeologically in 1981 had a $N0^{\circ}-2^{\circ}W$ bearing which provided the direction from magnetic north. At the northwest corner area, several grave plots existed, so that no testing was possible. One hundred eighty three and one half feet were traveled east after taking an approximate right angle (using an alidade and compass). At the northeast corner area, Nicholson's survey was 6.8' off of the east line, where part of a wall still exists on the original east line. The outside corner of the northeast footing, found archaeologically, was 190.3' from the northwest corner point established earlier. The southeast corner, 184.3' from the southwest corner (a 94° angle, see Figure 2) and the east wall line (284.6') intersect underneath the sidewalk along Court Street. When Court Street had been extended in 1924, the city obtained the southeast corner of the old churchyard and part of the lot (Eliz: City County Records, D.B. 76:53). In this same year, part of the east wall to the old churchyard was removed by the parish (1924 Easter Church Bulletin).

The side dimensions of the churchyard were, therefore, determined to be about 190' on the north, 284.6' on the east and west, and 184.19' to 184.3' on the south. Another rectangle with 183.5' on the north and 278' on the west side was also mapped (see Figure 2). The former dimensions

give a lot of 1.19 acre and the latter a lot the size of 1.0038 acres. it appears that although the court ordered an acre and a half to be surveyed and valued, the actual lot size purchased was closer to an acre.

Other church lots within legislated port towns vary from one half an acre to 1-3/4 acres. When the ports were legislated, the town lots were to be surveyed at 1/2 acre per lot. At the York-Hampton Parish Church in Yorktown, built in 1697, the original lot was half an acre. Later in 1713, the lot to the east, No. 41 was added. The deeded contract was at the cost of 2.10. The church lot was then an acre. Digging by the National Park Service, in the churchyard revealed sections of the wall's footing (Wilson, 1965:66). Enough was exposed to suggest the dimensions of the walls which were laid over the lot's boundaries (Figure 3). The lot size was determined from the town grid, surveyed after Yorktown became a port site in 1691.

At the Borough Church in the port town of Norfolk, the church lot measures 1-3/4 acres. The lot and its wall line are still intact. The wall is American bond (4-8 courses of stretchers between header rows) suggesting most of it is nineteenth century reconstruction, however, it still stands on the original wall footing laid down in 1759 (Borough Church Vestry Book, 1759, November 20). The footing has never been investigated, archaeologically.

The Borough Church's lot dimensions are less of a rectangle than at Eliz: City Parish Church (see Figure 4), but again the lot size is based on the grid laid down in 1681. When the site was chosen for a port, a chapel of ease built in 1641 existed near. It later became the parish church of Elizabeth River. This church site was incorporated into the town plan,

placing it at the northernmost edge of the town. The church lot was designated 1-3/4 acres at this time (see Figure 5).

In Williamsburg, a town not designated as a port, the church lot and the surrounding walls were determined by the grid pattern of the town plan. Bruton Parish Church sits in a lot which is one and a half acres, 336'NS x 192'EW.

Country churches had no town grid pattern to which they had to conform. The 1/2 acre lot divisions were not legislated except for towns. Lower Westover Church has wall lines which were located archaeologically. The lot size based on these dimensions is 0.378 acre (see Figure 6). At the Yorke Village Church of 1667, the yard's dimensions are roughly 90'NS x 76'EW, giving only 0.157 acre (Figure 7). At Christ Church (1732) in Lancaster County, the reconstructed wall was placed over original footings which was approximately 197' square (Harrington, APVA Discovery:9). This makes a yard of 0.89 acre. These dimensions are not based on the 1/2 acre lot grids of planned towns and ports. The church lots common in legislated port towns, therefore, tend to be less than two acres, which is the maximum by Virginia legislation, and are more or equal to 1/2 acre based on the legislated grid size of 1/2 acre.

CHAPTER III

THE ARCHAEOLOGY OF THE 1759 ENCLOSURE AROUND THE ELIZABETH CITY PARISH CHURCH ENCLOSURE

The archaeological explorations for the Elizabeth City Parish's churchyard wall of 1759 began in November, 1978, under the direction of Mr. Paul Hudson, the former curator of the Jamestown Island NPS collection. In 1978 his volunteers (members of the Williamsburg Chapter of the ASV and of his archaeological class) examined the segments of existing brick walls. Along the southwest portion of the wall (Plate 5) was a section of Flemish bond below the string course which resembled original construction. Its consistency without repair, except modern repointing, suggested it may be the oldest part of the wall and perhaps from original construction.

A break in the southwest wall, which has been patched with cement mortar, separates this "older" section from an extension towards Queen Street. The cemetery property was known to have been extended 7 feet on the south in 1889. An iron fence was put up in 1892 along the Queen Street frontage (Vestry Book #2 of Eliz:City Parish:29 and 68).

Mr. Hudson and Mr. Allen Moreledge, an historical architect, after consulting with Mrs. Beverly Gundry, the church historian, agreed the lower 27' of the southwest wall needed archaeological investigation. Archaeology could be used to uncover the footing and to excavate the builder's trench. Excavation would help verify that the section of Flemish bond above ground was original with the footing's construction. Mr. Hudson placed a series of test pits (3) along the southwest face inside the yard. Test pit 3 (Figure 8), placed at the crack, exposed a corner footing running eastward.

The profile of the corner footing and the wall footing were both English bond. The corner footing is three courses measuring nine inches in depth and 18"NS across the top. The wall footing has three courses of English bond with two courses of Flemish below the water table drip brick. The water drip bricks and footing are extended out about two inches from the Flemish bond of the wall above. There are nine courses exposed of Flemish bond above the water table to the string course. The string courses of two Flemish bond rows project from the wall face three inches. The rest of the west wall is of recent repair from 1968-1974. The height of the present wall is 5.75' from ground level. The height from the string course to the water table is 2.25' and the depth from the water table to the last course of footing is 1.625' (Figure 8).

A reference from an advertisement in the American Beacon located by Mrs. Gundry, discloses a proposal for an extensive repair of the yard wall "for furnishing materials, and laying 50 or 60,000 bricks on the wall that encloses the church" (The American Beacon, 1825, August 17). The capping on the wall before its most recent repairs in the 1970's reveals hemispherical capping bricks (Plate 13). These may represent the nineteenth century construction of 1825. The shape of the capping brick from the colonial wall is known from fragments found within the test pits of 1978 and 1979, from more recent (1981-82) excavations of the builder's trend, and from examples located by Mr. Ralph Quinn, the caretaker. The caretaker finds the colonial capping bricks whenever graves are dug along the yard's walls (Plate 14).

Two additional test pits along the southwest wall were opened by Mr. Hudson. Their footing construction shows no variation in the number of

courses (Figure 9). Test pit 1 has three courses of English bond and two of Flemish up to the water table. Test pit 2 is constructed the same way. The depths from the water table to the bottom of the footing are the same as in test pit 3, according to Luedtke's profiles (Figure 9.)

The artifacts collected from these pits were a mixture of late eighteenth and early nineteenth century trash. Some of the more interesting fragments are pictured with their respective depths (Plate 15). Without a trench profile, map, or provenienced artifacts, it is difficult to ascertain which artifacts came directly from the builder's trench. The builder's trench is outlined for test pit 3 at the southwest corner in Luedtke's drawings. The few fragments found in test pit 3 are predominantly of mid-eighteenth century origin. A wine bottle base (1757-1761) was found in "the second layer" (Hume, 1969:67). Fragments from the "upper layer" (surface to 4") crossmend with the base. The profile of the base in in Figure 10.

Artifacts from test pits 1 and 2 are identified as coming either from the surface to 6" deep or to 10", 12", or 16" in depth. They are mainly late eighteenth and early nineteenth century. These artifacts may represent the 1825 construction proposal mentioned in The American Beacon. The footing in these pits are English bond and are contemporaneous with the footing in the southwest corner. The fill beside the footing is of a later context. The yard was regraded often. Also the tree roots nearby could cause later intrusions. Additionally, a nineteenth century hotel in the next lot may have been the source of trash deposited over the west wall into the churchyard.

In 1979 Mr. Hudson again explored the yard's wall remnants. The section of repaired east wall along the parish buildings was investigated with three test pits, along the western face inside the yard (Figure 2). The profile sketches of the footings are both English and Flemish bond (Figure 11). No scale is provided with these sketches to compare the dimensions. No artifacts were recovered from this investigation. the different footing construction suggests this wall section has been repaired below ground as well as above (Plate 16).

In November 1980, Mr. Hudson and Mrs. Anne Garland supervised a probe exploration within the yard. Mr. Hudson had a copy of Bishop Bentley's map of the Bruton Parish churchyard . The dimensions of this original yard of 1683 are 192'EW and 336'NS (1.48 acres). Using this yard as a prototype, the width of St. John's yard nearest the church building was walked off and approximately measured with a 100 foot tape. The width was about 194' according to this rough measurement. Because of the nearness to the width of Bruton Parish's yard, the north to south dimension was also roughly measured from the southwest corner, located in 1978, along the west wall, until 336' were extended past the existing wall. With probes, a line was tested extending from a possible northwest corner to a possible northeast corner. The difficulty of probe testing in a cemetery was quickly apparent. The presence of cement vaults and footings for plots complicated any interpretations.

The possible area of the northeast corner was investigated by Mr. Hudson in 1979 with several pits. From this, no drawings are recorded. Their general locations are included on the overall plan (Figure 2). They

found the cement footing of an iron fence used for a grave plot marker in one of the pits. Their attempts were inclusive.

In July 1981, Mrs. Anne Garland, with the Kicotan Chapter of the Archaeological Society of Virginia, began an investigation in the mid-eighteenth century churchyard enclosure. After the probe survey had proven inadequate in November 1980 as a means of remote sensing with an "active" graveyard, excavation in logical areas was decided to be a better alternative. The chapter adopted as its field project the excavation of two trenches along the west wall. The present west wall (Figure 12) extends from Queen Street 198' and makes a 90° turn westward. The corner created by this turn sits beside a tombstone of 1855. The next tombstone, directly west, marks a grave plot which has its eastern footage abutting the back of the 1855 stone. Directly behind the 1855 stone and at the foot of the later plot (which had a stone of 1933) was a narrow strip of ground which might have been undisturbed by the digging of the 1933 grave. A 2'EW x 4'NS trench was placed at the back of the 1855 stone, allowing one foot overlap on either side of the north to south line created by the existing west wall (Figure 2).

The trench was parallel to a north to south datum line which had been extended from the iron fence on Queen Street along the western portion of the churchyard. Its limit was the eastwest brick walk in the present cemetery (Figure 12). The datum point, chosen along this north-south line, from which all the elevation measurements were taken, was 200' from the iron fence and 24'EW from the existing southwest corner formed by the intersection of the iron fence and brick wall put up in the twentieth century (Figure 2). The 200' datum point is between the tombstones of

Lamar and Georgie Hollyday which are near an aged crepe myrtle tree at this writing. In order to lay out the datum line and record the yard wall on the west as well as the church building, an alidade, a plane table, a 100' tape, and a plum bob were used. All measurements in this report are given in tenths of feet. Elevations were also taken using an alidade and a stadia rod, marked in tenths of feet.

After triangulating a 4'NS x 2'EW trench from the datum line, the Kicotan Chapter began excavating. The sod, and two topsoil fills were removed before locating the surface of two features created by the construction and destruction of a wall footing. Running parallel with each other and the north-south line of the trench were two fills (Figure 13). Projecting from the southeast-southwest balk was a set of laid bricks. The bricks evidently were all that remained of a footing. The rest of the fill, along the lines of where the footing once ran, was mixed topsoil and subsoil. The soil was a dark gray with a loamy texture. Artifacts recovered from the surface indicated a generally nineteenth century deposit. The parallel fill to the east was distinctly full of porous brick fragments coloring the loamy-clay soil orange-brown. It appeared that this fill was part of the builder's trench still intact as it abutted the back of the 1855 tombstone. The tombstone had intruded into the builder's trench.

In order to acquire an east-west dimension of the trench, another trench was placed to the south of Unit 1. The next unit was placed perpendicular to the 2'x4' trench. Unit 2 (see Figure 2) was 1'NS x 6'EW. The topsoil levels were the same as in Unit 1. Their common depth was 6" below modern grade (10:14 MASL; Figures 14 and 15). After removal of layers /2A and /2B, the top of a laid footing appeared (Figure 16; Plate 20). Beside

the footing was the east-west width of the builder's trench, abutting the footing on the east.

The location of the trench was the same as found by Mr. Hudson in test pit 3 (see Figure 9). The east-west measurement is similar (test pit 3 = 1-1/2'; 44HT51/2D = 1-3/4'). The top of the footing bricks in 44HT51/1 is 9.82' MASL and in 44HT51/2 is 9.74' MASL (0.32' and 0.4', respectively, below the MASL of modern grade, 10.14' MASL). To determine the footing's characteristics and to acquire data about its general date, the decision was made to excavate the builder's trench. The builder's trench was excavated in both 44HT51/1 and 44HT51/2.

On the surface of 44HT51/1D, many large brick fragments were exposed (Figure 13). The first level (/1D) continued to have broken brick bats throughout its depth. The bricks depths were between 0.26' and 0.55' from modern grade at 10.14 MASL (Figure 14). The brick bats were predominantly underfired. The soft brick crumbs had given the soil an orange color. the soil texture was a clay and loam mixture as a result.

Within /1D1 was also a collection of capping bricks which resemble the many capping bricks discovered by Mr. Quinn, whenever he digs around the edges of the "old churchyard" (Plate 14). It has a distinctive profile. Within level /1D1, one complete cap and two fragments remained (Figure 16).

Among the churchyard walls either still standing (Blandford Church, Borough Church, Bruton Parish Church), or excavated archaeologically (Lower Westover, Christ Church), there are no capping bricks shaped exactly like the ones located at the Elizabeth City Parish Church (1728). Some of the capping bricks on the present wall of the Borough Church, Norfolk (St. Paul's) have a similar shape, but are wider (Plate 17). Christ Church

excavations in 1959 uncovered molded capping bricks which are also distinct from the more common hemispherical shape (Figure 17a). The hemispherical shape is documented, both historically and archaeologically, at Bruton Parish Church, Williamsburg, Blandford Church, Petersburg, and Lower Westover, Charles City County (Figure 17). The shape is often used as a prototype for the restoration of many colonial brick walls unless archaeological evidence is available. Nineteenth century repairs to St. John's churchyard wall (Elizabeth Parish) used these half moon capping bricks. Before the west wall was torn down and rebuilt in the early 1970's, these cap bricks were still evident (Plate 13).

A second layer existed between the top level and bottom level of the builder's trench, but the level did not extend throughout the profile. Within level 1D2 were scattered many mortar fragments and some individual oyster shells. The mortar was made of oyster shells. The shell and mortar were denser near the bottom of the level. The level's top at 9.16' MASL and 9.97' MASL, was 0.3' at its deepest. It extended 2.5' horizontally into the builder's trench from the southeast corner of Unit 1 (Figure 14). Having less underfired brick fragments, the soil was a medium tone with a sand and loam mixture.

The next level was a brown silt layer mottled with yellow sand and with infrequent brick flecks. A few mortar chips were irregularly located. 44HT51/1D3 was 9.13' MASL at its highest and 8.81' MASL at its lowest along the edge of the footing in Unit 2 (Figure 15). It ends in the northeast balk of Unit 1 at 8.96' MASL. It is, therefore, 0.2' deep nearest the footing and slopes up away from the footing to as high as 0.55' along the eastern edge of the builder's trench.

This silt layer continues beneath the footing. The bricklayers began their first course of headers for English bond upon this silt layer (Figures 15 and 18). The silt layer continues within the profile of the destruction fill for 1.2' beyond the remains of the footing (Figure 18).

The footing itself, /1C and /2C, is four courses of English bond beginning on the bottom with a row of headers. The next higher row of headers in Level 2C are glazed while the two headers in /1C are unglazed, along the same course (Figure 18). The bricks measure on an average of 0.3' x 0.7' with 0.05' gaps for the mortared joints. In the horizontal plan (Figures 16 and 19), the construction of the English bond is laid with center bricks set perpendicular (east-west) to the stretcher bricks running north-south (Plate 21). This creates a footing breadth along the top, east to west, of 1.5' (18"0). This corresponds to the footing located at the southwest corner in 1978.

For the row of headers, one stretcher is laid north to south in the center (Figure 15). One row of full bricks laid east-west, abuts the stretchers in the center. On the opposite side of the centered north-south stretchers, are half-bricks laid so that the header is visible along the exterior face. Another method to make a row of headers was to lay in each course two stretchers end to end (east-west). By adding these widths and lengths for each of these arrangements, 1.5' is achieved as the east-west breadth of the footing.

Because of the large bricks in the first layer of builder's trench, it appears that the yard was cleaned after construction by pushing any unused (cap bricks) or underfired (not usable) bricks into the hole. It was the

final deposit used to fill up the trench which was dug to build the footing. It also appears that once the ditch was dug, it was left open long enough for erosion and wash from rain to create a silt layer on the bottom. It was upon this silt that the footing is laid. The localized level of 1D2 and 2D2 has more mortar fragments than either level above or below. It is suggested it is a localized deposit of unused mortar thrown in by the brick layers to fill up the trench along that part of the footing.

After determining the north-south line of the footing and the character of the trench and footing, the next objective was to locate another corner. To do this, much research was undertaken in the county court records to locate deeds or descriptions of property abutting the church lot. Eventually enough data was collected to surmise the length of the west wall from the southwest corner. This dimension comes from a survey taken in 1811 by Thomas Nicholson for a large tract north of the church lot, Miles Cary's Pasture Tract (Survey & Plat Book #1761-1883, May 6, 1811:21).

The 1811 survey gave lengths for the east wall and north wall (see Appendix II). The survey also provided directional headings for the angles of the northeast corner of the churchyard wall. The angle of the northeast corner was 90°. The length of the east wall from the southeast corner was 17 1/4 poles (284.6') and the length of north wall from the northeast corner was given as 11 poles and 2 feet (183.5').

Since the location of the southwest corner was known, from the 1978 excavations, a reference from which to start was available. Unfortunately, no description of the west wall has been located in the deeds for abutting

properties. Mention of the west wall as a boundary for adjoining property is made frequently, but no one gives its length. In order to extend the line past the existing wall, 284.6' was chosen as an assumed length, as measured in 1811 for the east wall. The lot plans for legislated port towns in Tidewater, Virginia, are based upon a grid design, each lot being roughly a rectangle (Reps, 1972). Having this information, made the assumption of equal sides feasible. After checking the compass direction of the footing within 44HT51/2 which had been uncovered along the west wall, a line was extended to equal 284.6' directly on magnetic north. The footing varies between N 0°W and N 2°W (2° east of magnetic north). The west wall now standing on top of the original line varies between N 2°W - N 4°W at the same point. The 284.6' line extended to a family plot of the Lackey family. The NW point landed upon a footstone marking the grave of Charles A. Lackey, March 20, 1847-August 19, 1922. The point was exactly on the "C" of March. A line traveling east was sighted at 90° and laid down. The point, after measuring 183.5' on a E-W line, fell short of the original line of the west wall. The east wall's line is marked by a section of wall still standing along the parish building. From a church bulletin in 1924 it was known that the "old wall" was removed down to Queen Street. The wall had separated the parish building from the church building (The parish House was built in 1889). Photographs from the church's files vaguely exhibit the east wall in its original position as it extended down to Queen street (Plate 1). A photograph taken in 1924 shows the destruction area after the wall was removed (Plate 2). A destruction line, where the wall once stood, is visible. This line is the same as the section left, standing beside the parish complex (see Figure 2).

Knowing the original line of the east wall, the 183.5' were extended to this line. Fortunately, around this point, a 7'NS x 3'EW trench could be placed, since no recorded burials were in the area (10.26 - 10.44 MASL). The trench's dimensions would hopefully allow for any discrepancies in measurement and direction using an alidade, a plane table, a 100' tape, and a hand compass.

It should be noted that the point falls at the eastern edge of an empty strip of land which today extends west and east, being interrupted only by the Lackey burial plot its west end (Plate 18). This strip of land void of any burial markers is being used as a pathway by the church staff and by visitors to the cemetery. This strip of land had previously been noticed by others as a likely location of the north wall, since no graves are marked there.

The majority of the grave plots to the north of this strip are for individuals who died after 1867. Only one earlier plot was recorded for the north cemetery. It was an infant burial of 1853. From the data gathered about adjoining land, it was determined when the first northern extension of the cemetery was deeded (1877).

From the earlier discussion about the wall's demise, it was suggested that the north wall was removed between 1869 and 1878. The vestry book mentions grading the old churchyard in 1878, which would be necessary after the removal of a wall in order to cover up exposed footings. (VB of ECP, Eliz:City Parish, 1878:308). The dates of burials immediately along the north side of the strip are all later than 1876 (a 6 year old's burial). The northern extension to Lincoln Street was acquired by deed in 1877 from the Sinclair family after 8 years of indecision. The unused strip of land may have resulted, therefore, because between 1869 and 1878 (or earlier)

new plots were spatially designated in the newly acquired north cemetery. When the wall was removed in 1878 (or later), an empty area remained where no plots had been designated and which had been excluded from the new cemetery's plot map. Also, the oral/written memory of the cemetery officers and the sextons, probably kept single plots from being designated where a wall's footing existed. To remove brick footings is a strenuous task when other land for burials is readily available. By 1932, the date when the present sexton, Mr. William Parker, began caring for the cemetery, the memory of where the north wall had been, was gone. The strip was first intruded upon in 1917 at its western edge with the burial of Captain George Hope which predates Mr. Parker's attendance. The knowledge of where the north wall ran, therefore, may have been lost by the early twentieth century 31 years after the wall was removed.

Within the 7'NS x 3'EW trench, was discovered a brick corner footing (Figure 20). The corner was 1.5' distant from the plotted point. The brick corner footing is at 9.82' - 10.0' MASL. After remeasuring the distance from the assumed NW corner on the "C" to the newly revealed NE corner, a length of 190.3' was obtained. This length is 6.8' further than the 1811 Surveyor's dimension of 183.5', but falls closer to the length provided by C. Hubbard in an 1854 Survey of Hampton. Hubbard's length is 11.56 poles (190.74') from the NE corner of the church wall to the NW corner of the church lot for a tract further north east (ECC Survey Plat Bk. #1: 121). His length is 7.24' more than Nicholson's of 1811 (183.5') and is 4' more than what was remeasured in real space (190.3').

The angle of the corner is 90° which corresponds to both Nicholson's and Hubbard's directional readings (S 84°W - N 6°W by Nicholson and S 89°W

by Hubbard along the north wall). After excavation, the angle measures between 90° and 92° , depending on the individual bricks. At wall height the angle probably varied around 90° , which is what Hubbard and Nicholson were measuring. In conclusion, a right angle turn is being made at the NE corner.

In order to expose the entire remains of the corner, the trench's east side was extended 3.1' NS x 1' EW nearest the footing. Afterwards, it was obvious that the brick footing had the same breadth dimensions (1.5') and construction detail across the top, as had the SW corner and the footing along the west line (Plate 19). In order to verify that construction of the NE corner footing was part of the same wall footing, like the other examples, a section of the builder's trench in the corner, (2'NS x 5'W) was excavated (Plate 22). Because of an unrecorded burial which extended from the SW balk of the unit, no larger area could be opened. Also, several tree intrusions had occurred along the footing which had penetrated the builder's trench area. The top layer of the builder's trench was partially replaced by dark humus from a decaying root (Figure 21). The root system continued throughout the builder's trench, thereby destroying a sealed context. The purpose of excavation was, therefore, mainly to determine construction of the corner footing.

The footing running N-S was four courses of English bond (Figure 22). Its construction was the same as the footing described along the west wall, exposed in 1981. However, the number of courses was different compared to the English bond in T.P.1-3, excavated in 1978-79. T.P.1-3 exhibit only 3 courses of English bond from subsoil to the beginning row of Flemish bond.

Also, upon excavating the corner footing it was discovered that as the footing made its 90° turn westward its courses to subsoil expanded to 11 (9.94' MASL to 7.28'). The SW corner footing had only 4 courses of English bond. Variations do occur near the turns as the bond pattern changes to accommodate the shift in direction. This is very evident at the NE corner (Figure 21). It is a haphazard arrangement of courses and bricks in order to create the right turn.

The fill which was excavated beside the footing in Unit 44HT51/3, had 4 levels excluding the top humus produced by the roots's decay. (Figure 21). The profile of the fill beneath the four course footing is the same as the profile for the builder's trench (Figures 21 and 22). In order for this situation to exist the ditch for the corner pier of 11 courses was dug large. After 7 courses of the corner were mortared together, the ditch around the corner pier was probably filled. Fill to enclose the new corner was also deposited where the east wall was to begin going south. The height of this fill was raised enough to allow the 4 courses of English bond to be laid on the same horizontal plane equal to the north wall's footing. To get an even wall, this was necessary. To help support the 4 courses of English bond set on top of the new fill, space bricks were placed near the corner junction. The eighth brick down from the east wall junction (8.22' MASL), projects out 0.2' and is glazed (perhaps this is a drip brick). Beneath the 4 course footing (within the fill of/3E2) as it continues southward, are two large brick fragments. One of the bricks is glazed (8.74' MASL; Figure 22).

Within the first level of the builder's trench (3E1), large broken brick bats were found (8.9MASL, 8.86MASL, 9.44.+ 9.18). In this same level

in units 44HT51/1 +2, large broken bats and the capping bricks had been excavated (9.46, 9.42 + 8.98MASL). Again this suggests a final fill of the trench by the workmen with the brick refuse created from the wall's construction. The refuse of construction would have been lying around the yard's perimeter.

The third level, 44HT51/3E3, has a composition similar to the third level in 44HT51/1+2 (medium gray loam with some yellow mottling). This suggests a contemporary fill.

At level 44HT51/3E4, (7.78-7.76MASL; mottled yellow clay and gray loam of equal dispersion) two wrought iron nails existed along the footing's profile (Figure 23). One stood vertically, protruding into /3E4 (7.78' MASL) and the other lay horizontally (7.76' MASL). The horizontal nail lay within a stain of medium gray loam (/3G in Figure 23) in which another wrought iron nail at 7.74' MASL appeared. The stain grew horizontally underneath /3E4 sloping towards the footing profile to 7.32' MASL.

After the removal of /3E4, exposed underneath was a diagonally sloped stain from a burial. The stain's depth along the west balk of the 2' x5' section was 7.76' MASL and descended to 7.32' MASL as it traveled east into the footing's fill profile (Figure 23). Such a sharp slope suggests that the workmen digging the trench for the corner footing might have been avoiding an intrusion with the body. This assumes that the workmen realized where the grave was and knew they would be intruding it while constructing the footing.

The burial stain was on an E-W axis, with the narrow end to the east (4') and the broad end (1') extending into the west balk of the 2' x 5'

section. The N-S profile of the 2' x 5' section along the east shows the tip of the stain as it continues under the east wall footing (Figure 22). Excavation of the stain revealed the distal end of the left tibia and a metatarsal from the left foot. The feet were at the east with the body having been placed on its back. The body, like this, could rise facing the east upon resurrection. The presence of nails arranged vertically suggests a coffin's vertical joint, however, the stain did not have any straight edges. The stain was primarily oval at the feet suggesting a shroud burial.

Subsoil beneath the corner pier in 44HT51/3E, was at 7.28' MASL. It was minimally evident at the base of the 2' x 5' section. Along the corner pier it is evident, but most of the bottom of the 2' x 5' section is taken up with grave fill which surrounds the burial stain (/3J; Figure 23).

It appears as if the burial predates the construction of the wall (1759). The church lot had been in use for 31 years before the wall was constructed. There are many unrecorded burials of the eighteenth century in the churchyard and are continually being intruded with new grave shafts (Figure 2). The churchyard prior to the 1759 wall, therefore, extended at least as far as the NE corner.

In conclusion, the various samples of wall footing uncovered archaeologically since 1978 are similar, thereby, safely assuming contemporaneous construction. All the footings are for the same wall. The wall had 3-4 courses of English bond for a footing and at least 11 courses above this laid in Flemish bond (one course is plain stretchers to mark a water table projection) with a breadth of 1.5' across the top of the footing. The differences in course number between the corner footing and

side footings are explained by changes in topography/elevation within the church lot. The church building stands on 10.26' MASL; Queen street is close to 7.00' MASL, while the northern section of the old churchyard is from 9.86' to 10.4'. Of course several gradings have occurred within the yard which has altered the eighteenth century topography, but in general the lot slopes up from Queen Street as it progresses northward. This may have required changes in footing courses in order to maintain the same horizontal plane for the wall.

The NE corner pier of 11 courses contrasts drastically with the 4 courses in the SW corner. A spring existed within the memory of the parishioners (Beverly Gundry, 1982) in the area of the NE corner. The high water table (still present) and the softer soil might have demanded a heavier pier for support of the intersecting walls of 284.6' and 190'.

The locales of the NW corner and SE corner, are both inaccessible for excavation. The NW corner is beneath the Lackey and Hope family plots and the SE intersects underneath the sidewalk beside court street. The discussion of the yard's dimensions and its derivation are found in Chapter II.

Comparisons with other churchyard wall footings which have been excavated in Tidewater Virginia, reveal a pattern. In the eighteenth century English bond is being used for footings above which is Flemish bond. The number of courses in the footings vary from 5 at Grace Church in Yorktown (Plate 23), to 2 at Lower Westover, Charles City County, and 4-6 found at Christ Church, Lancaster County (Wilson, 1966; Heite, 1967; Harrington, 1977). The number of courses for each site can vary such as the wall footings at Elizabeth City Parish Church. Site variations are

because the upper courses have been destroyed or are laid relative to the lot's topography. The breadth across the top also varies depending on the technique of laying the bricks for English bond. It is 18" at Christ Church and 12" at Grace Church (Figure 17a; Plate 23). The footings at Christ Church, Elizabeth City Parish and Lower Westover all have molded bricks (sloped) for the water table (Figure 17). No information about the footings of standing churchyard walls was available, such as Blandford Church, since little archaeology has been used to investigate them.

The original heights of the churchyard walls is a subject which needs address (Plate 24). However, most portions of standing colonial walls have been much repaired (Plate 25). Repairs have altered the original height, often the bond, and the capping, as is the case at the Elizabeth City Parish Church and the Borough Church. A review of builder's pattern books and undertaker's accounts would be useful in pursuing this problem. Documentary research, about heights and constructions of brick walls, falls outside of the scope of this project, but is recognized as attributes to investigate. Nonetheless, the collection of data about the Eliz: City Parish Church yard wall and its footing does suggest a profile for the 1759 churchyard wall (Figure 24).

CHAPTER IV

THE PLACEMENT OF CHURCH LOTS WITHIN THE EARLY PORT TOWNS

The establishment of towns in Tidewater, Virginia was legislated. The demand for centralized residences, usually at a port of entry, began early. The King's orders for central ports was transferred into legislation by the General Assembly as early as 1631/2. The 1631/2 Act designated Jamestown as the only port of entry. Reinforcement of the King's desires resulted in "An Act for Building a Towne". It passed in 1662 and was the prototype for the later port town legislation (Reps, 1972:58). It provided a term of four years to centralize settlements at Jamestown. Additionally, it provided the seating of new towns along other Tidewater inland rivers: on the York, on the Rappahannock, on the Potomac, and on the Eastern Shore. Although legislated, these towns were not centralized to the satisfaction of the royal administration. The towns were meant to function as administrative, political, and economic centers from which the colonial business life could be conducted. The closest that the "town seats" arrived to this "civilized concept" of the Crown's, was the establishment of tobacco inspection warehouses. The warehouses were used to annually preview the exports. In 1633, five points along the inland rivers were chosen to host an inspection warehouse. One of the five locations was Elizabeth City. The town had a warehouse built on the Southampton River, because the town was one of the inspection checkpoints.

Continuation of the Crown to establish import and export trade centers resulted in further Assembly legislation from 1680 to 1705. Three Acts passed in 1680, 1691, and 1705, specified the provisions for establishing ports and towns. Generally, each act called for the purchase

of fifty acres from the current landowners at a specified sale amount (10,000 lbs tobacco at first), for the survey of the towns into one half acre lots (to be sold for 100 lbs of tobacco at first), for the building of a warehouse and a dwelling on the lots within a specified period (at first 3 months), and for all exports and imports to take place at the official ports (Reps, 1972). The acts did not mention the plan for the town or its arrangement of public space for civic activities (Reps, 1972: 66). These decisions were settled by each county. Each county appointed a trustee committee or "foeffees" who chose the actual town site, planned the town, had the plan surveyed, and disposed of the lots. In most places central market places were included. To be a part of the market center of town was a courthouse and a church. Thereby, the "civilized" towns were meant to become centers for administering the economy, the politics, and the religion of the colonial government.

The requirements calling for central locations of export and import within the "Act for cohabitation and Encouragement of Trade and Manufacture" (1680) and the Acts "for the Establishment of Ports and Towns" (1691 and 1705) caused great consternation between the Crown and merchant lobby. The purpose of colonialism for the Crown was based on mercantilism, whereby the home government would be recompensed for its efforts. Acquisition of profits had traditionally been by a system of market trade centers with ports established for produce shipment and quick transport. To collect the government duties (profits) would best be accomplished at the colonial ports. The export goods would have less damages at their point of departure, than at their arrival port in England. More revenue could thus be exacted at the colonial ports before shipment. The collection of

customs at specified places would help prevent unlawful trade, too.

The London merchants, on the other hand, paid less for the goods by purchasing them directly from the producers before shipment to central dispersion points. By 1680, the exchanges had been transacted at the planters' wharves, up and down the inland rivers.

The colonial planters preferred exchanges at their wharves. Transporting their goods to a port of departure was costly, especially if the port was far away. Prices for the goods could escalate to account for these extra costs. The port town legislation did provide compensations for transport, but the amount rarely kept up with the market's rates. The planter lost a percentage of his returns to the government's export duties and to the transport fees.

The political conflict between the London merchants and the Royal government resulted in the repeal of each Town Act within a year of its passage. The colonial Governors would receive orders, issued by the Crown, to push the acts through the colonial assembly. Afterwards the customs officials and merchants would present cases to the Crown about the insufficient warehouses and port facilities which were available. Another argument of the opposition said unlawful trade and manufacturing were going on in established towns. This situation was hurting the exclusive trade rights of the home government and was taking colonists away from raising tobacco. The Crown kept suspending or repealing the town acts, because of this threat of unlawful competition for trade and manufacturing.

Because of the constant contradictions of the Crown government, none of the towns expanded greatly. Also, legislation provided many more ports

and town sites than suggested by the Crown. In this manner, more planters would be closer to a port somewhere, alleviating heavier transport fees to a single port. A total of twenty sites were designated by the colonial legislators, however, not all of these succeeded. After the 1705 act was suspended, many towns started at these sites continued irratically. Some, such as Cobham, Bermuda Hundred, Warwick, Queenstown and Patesfield did not survive the eighteenth century and were converted into farm tracts (Figure 25; Reps, 1972).

Another important factor which prevented the full success of the central towns, derived from the geographic settlement of the colonial populace. The early production of tobacco under Company rule had accomodated well the sale of particular plantations to stockholders at 100 acres per share. Large tracts of land resulted, on which the owner provided the production of tobacco with a group of tenants.

The tenants organized on the plantations into localized settlements in which developed "town" life. The great distances between the plantations led to self-sustenance. This self propelled situation was characteric of the village settlements in England before enclosure (1548) had destroyed the common lands. The English peasants/farmers had depended on the commons for self support. When the commons were enclosed and no longer communal, the peasants left the manor estates, because they did not own enough land to provide for themselves, and headed for the cities. These antecedents helped the tenants on the colonial plantations to become self supportive.

Also tobacco production helped to isolate the tenants. Tobacco required more supervision to grow than many grain crops. "A planter who made a crop of tobacco worked steadily throughout the year. The tasks were

well defined: planting, hilling, transplanting, hoeing, topping, suckering, cutting, curing, prizing, and finally a full fifteen months after the tiny seeds were first placed in a bed, marketing the loaded hogs heads" (Breen, 1981:11).

Hugh Jones in 1724, pointed out that a three crop rotation was employed in Virginia. "When land is tired of tobacco, it will bear Indian corn or English wheat; the Indian corn is planted in hills and weeded as much as tobacco" (Jones, 1956: 77). He also related how the production of Indian corn is much like tobacco. Both corn and tobacco required more attention than wheat for the planter. Wheat needed cultivation, good weather and a harvest (Breen, 1982:11). The individual corn and tobacco plants needed "hops" (hills), constant weeding, and worm fences securing the plants, presumably from destruction by "estray" animals.

Being isolated geographically and economically, and being self supportive, the plantations had no need for a political, economic or religious center, other than what was available on the individual plantations. The economy and geography both kept the tenants to themselves for most of the year except when it was time for marketing. Only then did any planters travel to the ports of entry. For church attendance, enough parishes existed to provide local churches where conveniency was a prime object.

While the conditions usually discouraged the success of the port towns, certain ones did continue and became hives of activity in the eighteenth century. Three such ports were Hampton, Norfolk and Yorktown.

By comparing the sites of legislated ports to the dates and location of their parish churches, a pattern seems to emerge. The towns which included a church, such as Hampton, Yorktown and Norfolk, did so because

factors interplayed to permit it. Many town plans called for church lots, but whether all were built is questionable. Certain conditions working together encouraged churches to become part of the town plan. These conditions did not always occur when the town was planned between 1680 and 1705.

Some reasons why the town may not have a church built between 1680 and 1705 are as follows. 1) Many of the parishes by 1680 to 1705, were populated and dispersed, so that no new parish and/or chapel of ease was required. 2) The attended churches in these parishes were generally constructed around the mid seventeenth century and were still in good repair. 3) These churches were already located in convenient locals between 1680 and 1705. Depending on the arrangement of these conditions in time, exceptions did occur.

When the parish's population increased there might be an opportunity for a new parish to be created. If enough tythables could be collected to support another parish church, minister and glebe, a new parish boundary would be petitioned for and ordered by the General Assembly. If this occurred, the new parish church might be relocated within the town plan. In this case the town would have to be in a convenient spot for all the parishioners. York-Hampton Parish Church (Grace Church) is an example of this situation. It was built in 1697 shortly after Yorktown became a port (Figure 26).

Alternately, the parish population could increase, but not become overpopulated. Rather the population is dispersed inland as new lands are acquired for planting. If the mid-seventeenth century church structure of the parish was in disrepair during this expansion, a new church site and a

new church building could be contemplated. Most of the port towns were placed in parishes where neither condition existed between 1680 and 1705. However, both of these factors did work together after 1705 to cause many new church sites. The third church for many of the parishes, in which towns were placed, are built between 1720 and 1750. The new sites are further inland or at least more "conveniently" located. The mid-seventeenth century timber churches are reported to be in bad disrepair in the records (Henining's Statutes). Additionally, a more convenient locale is desired by the parishioners. If the town in the parish is considered the most convenient spot, it could become, as a consequence, the locale for the new church. This situation prevailed for the Elizabeth City Parish church. The 1667 Parish church was decayed and the Town of Hampton was chosen for easy access. As a consequence, the Town of Hampton did not have a church lot until 37 years after the town was planned (1692) (Figure 27)

In the case of Norfolk Town, a 1641 chapel of ease was incorporated into the town plan in 1682. The grid pattern of the town was extended to include the chapel and its yard (Figure 28). When enough tythables and a denser population had allowed it, a new parish was created around the Elizabeth River area. The 1641 chapel then became the Borough Church of Norfolk Town (1734). In 1739, a new church structure was built replacing the earlier timbered structure, used since 1641. In this instance a new church, but no new site occurred. This leaves the town of Norfolk with a church in its plan, since its incorporation.

Except for cases such as Yorktown and Norfolk, the towns planned between 1680 and 1705 did not as a rule have a church. The interplay

the placement of a church within the town . The church served a parish. If the town provided enough tytables by itself to support a parish's expenses, then one could be built when the town was formed. Otherwise, the foregoing conditions would help to determine if a church was built at a legislated port of entry.

The church of a parish needed to be convenient for the attending members. Going to church was required by law. A convenient location was also legislated (see ChapterII). The most convenient places for the parish churches were "centrally" located within the parish. Conveniency is linked to easy access, which infers a central location on a flat horizontal plane (Hodder, 1976). A "central" location is chosen, so that every one can travel an equal distance to church. A point roughly equidistant from surrounding areas creates a circular image. The church is the center point. About it are the parishioners' dwellings from which they travel every week to attend Divine Service.

The central place within their circular space is very public. All the people within their parish must attend this public center once a week. It is a place for public relationships to occur on a regular basis. According to Hall, this proxemic relationship is fixed feature space (Hall 1966:103). An established spatial distance is kept from this fixed point except at predetermined times which are infrequent, but regular and patterned. For Jones, a social geographer, this is defined as a social space (Jones, 1977:34).

Just as the church was the public center for the parish's space, so was the church made "central" to the town's space. The church lot within a parish was central on a horizontal plane. Within the town's space, the

church lot was not always central horizontally. It could be central on a vertical plane as well, or be centrally placed, both horizontally and vertically.

To explain the concept of central place within a horizontal and vertical town space, the antecedents of where churchyards were located in English villages and towns needs to be briefly discussed. Horizontal arrangements for villages in England had for the most part developed naturally. That is no formal pattern was predetermined and surveyed as in colonial Virginia. The village church is the focal feature of the scenery in the English countryside. "The ancient building of weathered stone and with a record of style from Saxon to Norman to Tudor times is offset by the green enclosure of the churchyard" (Cornish, 1946:17). At the center of the Elizabethan village stood the stone built medieval church with its rectory (Hart, 1966:13). As mentioned earlier, when the missionaries preached to the villages, a cross was set up, often in the place of pagan worship. Around these crosses, the village gathered. To make it convenient for the villagers, the place was often near the center of the village. This was the location of the village green where markets were held. It was possible for the missionaries to attract converts by preaching where the public gathered within the village. Subsequently, churches were built near the cross and the cross kept within the churchyard. Natural gravitation resulted in a churchyard near the center of the village.

The village was a settlement of tenants who formed the manorial estates. The village was unwalled. The market town, on the other hand, was a center of settlement which grew from a market place. The inhabitants

were not attached to a lord's estate. It was an unwallled urban town, often called a borough. The parish church again is found near its center marketplace. Market towns were simply planned, having one or two streets or blocks (Dickenson, 1951:307).

Urban towns were planned and surrounded by a wall. A building lot was the main cell repeated spatially in the town. The arrangement of these cells varied. They could be either irregular, radial-concentric, or rectangular grid (Dickenson, 1951:273-78). The English town's importance as a place to live was that it was protected, militarily, economically, and legally, and was a healthful place in which to reside (Dickenson, 1951). Building lots were spacious and houses had gardens.

The grid system was used for the towns which were planned in colonized areas. The colonial settlement needed security in a new place. The town institutions and the protections they offered, militarily, economically and administratively, were readapted for colonial living.

The grid pattern adopted most widely, arranged public space at intersecting points. The private lots were laid out in blocks about the public areas. The rectangular blocks were enclosed. This grid system was derived from the Romans who invaded the Britons. The Roman castrum, on a planned rectilinear form, was established in conquered areas. The Romans had adopted the Greek's colonial town which was two main, wide throughfares crossing at right angles with the market at the intersection (Dickenson, 1951). These intersections were not necessarily in the center of town and neither were the markets. According to Dickenson, the grid as a town plan in the New World and on the European frontiers, by the English, was "the natural choice "for the simple reason that it is the easiest method of

layout, both on the drawing board, or the map, and on the ground, as a preconceived plan" (Dickenson, 1951:277).

Based upon precedent, the Colonial Town policy by the English in Virginia would be variations of the grid pattern with market places or public spaces at the intersections of the throughfares. The markets and other public places (courthouse and church) can be on a second block, either touching one corner of the market place or located one or two blocks away at another intersection (Reps, 1972:2). The towns established by the Virginia Town Acts of 1680-1705 are all based upon the grid plan. The lots for the churches and courthouses either corner the market lot or are one or two blocks away (Reps, 1972).

The church's location, hence, does not necessarily have to fall in the center of the planned towns. The centrality of this public place is not defined horizontally all the time. There are some Virginia town plans with the church lot, courthouse and market designated near the center intersections of street. Rappahannock, Onancock, and Yorktown are examples of this (Reps, 1972:69, 70, 86) (Figure 26). As pointed out earlier, some of the town plans did not have provisions for a church lot. At Marlborough a courthouse is designated in the plan, but has no church lot (Reps, 1972:77). Some of the towns did not have church lots designated, because the central place for townsmen was the parish's space not the town's space. The church lot was central for the parish, not the town.

The few towns which were central places for the parish and had church-lots (Norfolk, Yorktown, and Hampton), did not all locate their churches in the center of town. The York-Hampton Church is located horizontally central, but it is also located "vertically central"(focally prominent). The

church sits on the highest elevation within the confines of the town grid (Figure 26, Plate 28). The town was surveyed in 1691, at which time the church lot was designated at an elevated spot (Reps, 1972:86). When the parish of York-Hampton was joined, the new church site became the Town of York. The church lot was still unsold and became the site of the 1697 parish church. Governor Nicholson in 1696 subscribed money enough to build it of brick, however, marl, available along the river, was used. From the country side, across the harbor, and in the town, the church is the central focal spot (see sketch of Yorktown from the harbor in Swem, 1946).

The church lot of Hampton again is "vertically central". The lot is at 10.26' MASL which was the highest point of the town in 1727, when it was chosen by the Governor for the site of the new parish church (Figure 27). Horizontally, it sits at the most western edge of the town plan. This is not central to the town, but is for the whole parish.

Norfolk's Borough Church sits at the most northern edge of town along the main road out of town just like at Hampton. This spot was centrally placed in relation to the parish's space, but not to the town's plan. However, the elevation of the Borough Church lot is higher than the surrounding town lots (Figure 5). The town was planned to accommodate the 1641 chapel and its yard, because it predated the formation of the town (1681). The present brick Borough Church was built in 1739 on the same site. The town's orientation may have taken into account the horizontal and vertical placement of the church lot when it was surveyed in 1681.

In conclusion, the church lot could be either horizontally or focally central to either the town or the parish community. The decision was based upon the lot's convenience to the participants, who desired a

central public place within the wider bounds of their "circular" space. The cognitive demands of a central point in a "circular" space (latent) was accommodated to a traditional rectilinear arrangement of real space (manifest).

In contrast to Tidewater Virginia, the Puritan populations of New England had rebelled against the Anglican traditions. The location within the settlements of their meeting houses, was kept central to the population, after the population dispersed due to a changing economy (Brooke, 1981). The yard was not used for burials. The burial grounds were put on the outskirts of town during the seventeenth century. This location was rationalized from their religious philosophies which feared death. Coming to the end without acquiring salvation during life was a constant dread (Stannard, 1975). Their arrangement contrasted with the Anglican churchyards to which they were accustomed, before arriving in the New World. They had the chance as an independent colony to set up their settlements and practices in a new way based on their new beliefs. However, as the eighteenth century began, the Puritans changed their religious views because the strict views on salvation were smothering the faith of the living. The dissenting groups began growing, and by 1740, "the Great Awakening" led to divisions from the Puritans.

By the eighteenth century, Puritan burials of the dead occurred in the meeting house yard. The burial ground was moved from the outskirts into the center of town (Plate 26). Soon the Puritans began enclosing their meeting house yards. The meeting house's architecture changed from a square plan with a central tower to a long rectangle with a steeple on the

west. The meeting house remained central to the settlements (Plate 27). An example of this is in New Haven, Connecticut. A map of 1748 shows the central meeting house with an unenclosed churchyard (Plate 26). In the painting of 1800, the meeting house has changed its style. It resembles an Anglican church and the yard has been enclosed (Plate 27).

The Puritans are demonstrating the same desire for a "central" public place arranged within their settlement's space. The cultural ties of religion for both Anglicans and Puritans, put this public place in the "center" of their respective communities. They both reveal a similar cognitive arrangement of human space.

CHAPTER V

THE SOCIO-RELIGIOUS FUNCTIONS OF COLONIAL CHURCHYARDS

The Anglicans who populated colonial Virginia modeled their religious organization after the Church of England's Ecclesiastical Canons of 1603. The organization into a parish community was very familiar. However, some aspects of the Church's organizational rules were not adopted. The vestry, for instance, became a religious authority in the parishes of Virginia. In England, this had never been the situation. The ecclesiastical authority of the parish minister remained stronger in the English system. This was an example of adaptation to a new "cultural environment". The cultural environment included the retention of familiar religious, social, economic, political, and administrative precedents. Changes occurred when these variables, that were within the known cultural system, did not allow a constant flow of information. In General Systems theory, the variables are dynamic while the tendency for the system is towards homeostasis. In other words, the colonial Anglicans retained and altered familiar institutions which made "survival" possible, socially, economically, politically, religiously, etc..

The churchyard as a central place within the parish community was a familiar arrangement of space for the colonials. As Tuan points out in his discussion about space and place as perspectives of experience, "experience is a cover all term for the various modes through which a person knows and constructs a reality" (Tuan, 1977:8). The colonials' experiences of parish life and its demands worked well in the settlement geography created in Tidewater by the economy. The familiar and new experiences of the colonials together helped to construct their reality.

The reality which is suggested from the documentary data is a non-random pattern. The churchyard is at the center with the community's dwellings dispersed at equal distances from it. Statistical tests exist to test the probability of this horizontal nonrandom pattern. Hodder explains that "central places" or "service centers" are "more efficient for the dispersed population whose largest travelling distance to the center is minimized" (Hodder, 1976:55). Also, "the area within easiest reach of a centre, assuming a flat featureless plain, is circular in shape" (Hodder, 1976:56). To test the probability of a nonrandom pattern, data from the Tidewater's parishes would need to include the location of the church sites for each parish and the locations of dwellings in each parish. The factor of time must be considered since the church site often changed as time passed. To gather enough spatial information from Tidewater may be difficult both archaeologically and historically, however, it would help to define the pattern being suggested, here, from the colonial records. While the statistics would indicate the nonrandom pattern, the interpretation of the pattern is not dependent upon the statistics.

The interpretation is that the colonials made churchyards public centers within a circular arrangement of real space and symbolic space. The churchyard was not only a central place to effectively minimize travel through horizontal space, but it was central to the colonials' "cosmos". It was the service center for social and religious undertakings which contributed towards holding the communities together. The shape of the cosmos and the colonial's reality were based upon new experiences of the frontier and the familiar experiences of their Anglican heritage. Just as in England, the social and religious experiences in the churchyard were of

a public nature. The yard had always been devoted to a meeting place for the community of the living and of the dead.

There were two divisions of space around the church. The spatial division was symbolic (conceptual) and real. On the north of the church was a churchyard, where the community of the living met. On the south were the burial grounds for the community of the dead (Bidden, 1925:62-63). Bidden does note that this real division of space into north and south should not be too generalized since some English churchyards have northern graveyard extensions (Bidden, 1925:63).

In Pre-Reformation England, the churchyard developed as a public place "from the notion that it was an asylum and a refuge" (Aries, 1974:23). The sanctuary, which the churchyard afforded led to meetings of people "to carry on business, to dance and gamble, or simply for the pleasure of being together. Shops and merchants appeared along the charnal houses" (Aries, 1974:23-24). Displaced bones from the church's chancel and nave and from the churchyard were placed into rooms, forming corridors around the sides of the church lot. The surrounding rooms were called charnal houses.

The churches and the yards were municipal. "There on Sundays and feast days, the people came to hear any news of importance to the community, whether it was a list of strayed sheep, or a proclamation by the bailiff. The church was their Common Hall, where the commonality met for all kinds of business, to audit the town accounts, to divide the common lands, to make grants of property, to hire soldiers, or to elect a mayor" (Cox, n.d.:36).

The church and yard were places for entertainment. During the reign of Elizabeth I, the mystery plays were held at the church (Cox, n.d.:13).

Fairs and markets were customary. The "church ale" became popular as a village feast. Originally the wardens had sold bread and ale, blessed and baked in the church house. By the late sixteenth century, the ale, made at Whitsuntide or on a local saint's day, was drunk at a festival. Neighboring villages were invited to attend. Long tables were set up in the churchyard where eating, drinking, games, plays, and dancing took place (Hart, 1966:73).

The Reformation in England did bring admonishment against these traditions. In 1574 The Homily of the Place and Time of Prayers was read in churches. It admonished all those who did not hallow Sundays, but instead had fairs, markets, or traveled (Hart, 1966:26). By the early seventeenth century, the Reformation's converts began having political prowess. The Puritans in England complained about the social festivities which had been customary. The Thirteenth Ecclesiastical Canon of 1604 forbade profanity on Sunday and James I confirmed the proclamation. On the other hand, in 1633 Charles I reissued his father's "Declaration of Sports", first proclaimed by James I in 1618. This act allowed lawful recreation such as dancing, archery, May games, Whitsun ales, and May poles, but not at the neglect of Divine Service (Hart, 1966:27). The Puritan element in English society would have been aghast at the sight in 1612 at Woburn, where a curate baited a bear in church or, in 1630, at Knottingbry where on three shrove Tuesdays, there was cock fighting around the communion table, while the minister and wardens watched (Hart, 1966:175).

With the Puritan Revolution (1640) and the Commonwealth, no pleasures nor travel were allowed on Sundays. An ordinance in 1654 abolished festivals. Laws were made to reverence Sundays. Sunday was to be a day

for meditation, prayer, bible study, and visiting the sick (Hart, 1966:25). The Puritans were intolerant of popery and Anglican beliefs. Because of this, they tried to erase the practices which had ruled the English masses for more than 1000 years (Aries, 1974:24). After Cromwell's death and the dissolution of the Commonwealth, an Anglican king returned (1660). With him returned the "merrie" England of pre-revolution days.

In colonial Virginia, the events of the Puritan Revolution were far removed from them. However, the earliest legislation by the Virginia Assembly required strict church attendance. For example, Act VIII in 1629 ordered commanders of the plantations to "take especiall care that the people doe repaire to their churches on the Saboth day", or forfeit one pound of tobacco for each absence and fifty pounds for every month's absence (Hening, 1969,V:144). In 1691 the Lord's day was to be kept holy, "no meetings, assemblies, or concourse of people out of their own parishes or traveling permitted on the Sabbath under penalty of two shillings" (Hening, 1969,III:73). Eight years later, legislation required attendance of all persons who were twenty years or older, to their parish church or chapel to hear divine service with one Sunday excused every two months. In 1705 the specifics changed to persons, male and female, twenty-one years or older, who neglected service for the space of one month and who had to remain until the service ended (Hening, 1969,III:360). Other restrictions prevented parishioners from attending any disorderly meeting and gaming, from making any journey except to and from church, or from laboring in their corn or tobacco (Hening, 1969,III:360). If convicted, the fine was five shillings or five pounds of tobacco and for those who refused to pay, they would receive ten lashes on their backs (Hening, 1969,III:360).

While this legislation sounds Puritanical, most of it is passed during or after the years of the Restoration when social activities on Sundays have been reinstated. When the legislation is examined closer, the demands for no meetings, no travel, and no concourse apply to places out of their own parish or to places other than at the churchyard within the parish. Thereby, the "adults" of the parish (20 to 21 years or older) all had to appear at the churchyard at least once a week and stay through the service. Along with divine service on the Sabbath, there could be concourse, meetings, and assemblies in the churchyard, but only in the churchyard of the persons respective parishes. With these restrictions, the parishioners associated within their own parish community on Sundays.

The strictness about church attendance comes from the Reformation's influences, but also it allows a secular gathering of the community to take place. "The church service furnished the typical rural pattern of relief from the isolation of life on widely separated farms. Church and churchyards became the center for the Sunday meeting of neighbors, exchange of views, transaction of business, hearings of official notices, governmental proclamations, and publication of laws and orders" (Seiler, 1959:138). In the Executive Journals of the Council, are numerous entries for proclamation notices to be posted in "churches, chapels, and courthouses". These proclamations concern all types of secular issues. From 1705-1754, for example, are notices about negligent quit rents, acts of parliament, a day of fasting for epidemics, the prevention of exporting wheat, Indian corn, or "flower" because of an unseasonable summer and about the export of grains because of an oversurplus (McIlwaine, 1930, III-V).

In conclusion, the parish's churchyard was a publically owned place for social gatherings. The parish had collectively paid for the lot and church building through levies. It was a place of collective ownership and for collective attendance. The enclosure placed around the lot, bounded the space within the town or country which was publicly owned. It distinguished the place as public property within a parish made up of privately owned town lots and plantation tracts.

The area to the south of the church is usually associated with the burial grounds for the community of the deceased. This spatial separation into churchyard and burial ground partially came from the very early Roman practice of having the burial grounds on the outskirts of the city. When the large English cities became crowded, the burial grounds were placed outside the city's walls. In rural parish churches, the south became the location of burials because it was here that the cross of the missionaries usually stood. The first area for burial was around the cross. The church was built on an east-west axis (representing the resurrection towards the rising sun) to the north of the cross' spot. The main entrance into the churchyard became the south gate or "lych gate". Funeral processions began at this gate, so that the living and deceased would pass through the burial ground on the way to the church. "The spirit of the last person interred in the churchyard hovered round them and conveyed the new arrivals to the grave" (Bidden, 1925:62). The northern part of the churchyard became the "wrong" place for the faithful to be buried. This part was used to bury unbaptized infants, excommunicated persons, and suicides (Bidden, 1925:62). It was the northern part where the social activities often took place. In the Middle Ages, however, fairs and markets often disinterred

bones in the churchyard so this real space separation did not always occur (Aries, 1974:24). Often the same space was used for social purposes and for interments.

The conceptual separation existed in Virginia legislation. The enclosure legislation in Virginia was for burials of the dead and never mentioned the enclosure of churchyards. However, because burials were in the colonial churchyard, the entire space was enclosed.

The religious philosophies about death during the periods prior to the colonial churches of the eighteenth century had been changing. The Middle Ages only had a select few, the monks, who contemplated the divine mysteries and sought salvation through worship and prayer. The masses had a horror of death even though the priests assured them that death would be less harsh than their lives. Medieval art depicts their preoccupation with a horrible death. Choron interprets this preoccupation as a way to face the fear (Choron, 1963:42). They had memorials to the dead within the chancel and yards of the churches. Elizabeth is also issued a proclamation to prevent defacement of monuments. She feared the "extinguishing of the honorable and good memory of sundry vertious and noble persons deceased" (Boase, 1972:73).

It is through the seventeenth century also that the masses are made to respect the dead with legislation. The complaints from the pious Englishman begin to deter the function of the churchyard as a public meeting place. The fear of death gradually alters into the belief of an immortality. The Reformation spreads the news of salvation but the age of reason and enlightenment counters this.

Advances in mathematics, the physical sciences, and the natural sciences begins in the seventeenth century. Its message of mortality is

suppressed by the Reformation. The mortality of man finally rates recognition after the 1670's. Soon after the Restoration occurs, life and its newly explained wonders makes the adage "live for today" a poignant message. As a result, the places for the burial of the dead became less important. Rather the "way" one dies is significant. The moments before death are spent in stoic preparation. The bedside had more reverence attached to it than the grave. The contemplation of death (one's mortality) through life allowed a pious deathbed scene (Aries, 1981:312).

Burial places in England and the colonies until the eighteenth century held no strong social ties with the living. The burial ground was almost secondary to the yard's uses, which was a social center. The families within a parish often requested the minister to travel to their dwellings for the funeral services. Family plots on private property were very common. The dispersed settlement of the parishioners made it harder to bring the corpse to the church site before it became unhealthy (Perry, 1870:326-328).

At the end of this continuum were the Colonial Puritans of New England. Their strict requirements about salvation led to many of their numbers who died without reaching a full covenant with God. If there had been no socially recognized covenant with God, death meant damnation. Puritan children suffered this same fate (Stannard, 1963:9-29). Their burial grounds were relegated to the peripheries of towns and afterwards no tending of the graves (Brooke, 1981).

From the mid to late eighteenth century, the individualism induced by the Enlightenment makes familial relations significant. To parallel this in the graveyard, the families of the living community are placed together in the graveyard. The graveyard becomes a place of community veneration.

The enclosures placed around colonial burial grounds until the eighteenth century were meant to designate property ownership. The enclosures of the mid to late eighteenth century are there to define the boundaries of the community as it rests while waiting for their collective resurrection. The brick enclosures around the churchyards at Elizabeth City, Norfolk, and Yorktown were all built in the mid eighteenth century, according to church records that are available. The use of brick for these churches' yards occurs within the period of when religious views about dying were becoming more of a community concern. Burial grounds were acquiring a more active link with the colonials' social beliefs and practices, not just their religious sentiments.

Enclosures also had a socio-environmental function which was discussed in Chapter II. The enclosures within towns were to keep "estrays" animals out of private property. Likewise, the enclosure around the church's burial grounds kept the stray animals off of collective property.

The enclosure legislation disclosed that the free space within the town was considered communal by some inhabitants. The unoccupied lands were used as a common, much like the common lands on an English manorial estate of pre-Elizabethan days. The concept of private ownership for all land was not yet entrenched in colonial Virginia. Some land was still communal. The churchyard was owned by the public because parish levies had been used to purchase it. The churchyard was owned while free space in the town was not. Ownership, therefore, is a prerequisite for placing enclosures around property.

If land is owned what happens to it is up to the owner, just as in English manorial villages. Each village dwelling was allowed space in

which to grow a garden and raise livestock separate from the manorial usage arable and pasture. Town space (streets) was not owned so it had common usage in colonial Virginia.

From legislation, it is evident that common usage was not being halted. It was the responsibility of all property owners to enclose their space as protection from the stray animals, not only the owners of the animals. The unowned town space was, therefore, important for common usage in Tidewater. Its use contributed towards the raising of livestock for export and domestic use.

Elizabeth City's solution to wandering animals within the town's unowned space is significant. They petitioned and were decreed to have a pound. The pound, being legislated, was legally owned by the public and, therefore, was enclosed. The churchyard was legislated for and, hence, was legally owned by the public. It also was enclosed. The pound and churchyard in Elizabeth City were public property not free space. Both had communal usage and both were legally owned. Enclosure was around property which had legal ownership, either public or private. The legal ownership of property (known to all the community) is a socio-environmental variable pertaining to the building of churchyard enclosures.

CHAPTER VI

SOME SYSTEMIC FACTORS MAKING BRICK THE ENCLOSURE MEDIUM FOR COLONIAL CHURCHYARDS

The churchyard enclosure made of brick is a characteristic attribute of colonial churches in Tidewater, Virginia. The surviving colonial churches are also made of brick. Brick is a more naturally durable material than wood in the climates of Virginia. When structures are made of brick, they will last unless human activity destroys or alters them. When the new medium was adopted by the colonists, their brick structures did not need as much repair and rebuilding. Wood constructed churches as mentioned earlier, needed rebuilding at 50-80 year intervals according to historical evidence. These intervals varied depending on additional factors, such as the quality of maintenance, and the quantity of funds available from parish levies. When the Tidewater parish chose to build with brick, no later church structure was ever mandated. The brick church became the last house of worship to be built, until the parish was dissolved or unless new parish boundaries were ordered. The brick church became a more permanent house of worship.

The influences of the Georgian period in English architecture are often pointed to as the explanation for brick use. The London Fire of 1666 stimulated the English Georgian "style". In 1711 an Act of Parliament authorized 50 new churches about the city and suburbs of London. By this time, the Italian Baroque had penetrated the builders' pattern books. Palladio's book on architecture was published from 1715-20 in English. Wren's church architecture in London emphasized Palladio and the Baroque. Later English architects (1714-1760) relied on subsequent interpretations. James Gibbs published a Book of Architecture in 1728 modeled differently

from the strict Palladian motives. Some suggest Gibbs had the greatest influence on American churches, especially with the circulation of his Book of Architecture (Whiffen, 1947:45).

Before this great rebuilding of churches in London, very few churches had been built, since the Medieval period. The stone parish churches survived well and were easily altered to conform to new tastes. The Anglican Reformation encouraged feelings of antipapism, thus, discouraging new Catholic churches. The Puritan's Revolution was anti-Anglican and preferred "meeting houses" plans. This discouraged the construction of new Anglican churches.

The meeting house's purpose was to be an assembly hall where the sermons could be heard and the minister seen by all the congregation. The plans were different from the catholic church plans which the Anglicans still used. Their churches were still long and rectangular with a nave and chancel. The chancel, until Anglican times, had a front screen behind which the priest had once performed the mass. This arrangement of space for religious worship was against the Puritan's practice of joint communion with God. The meeting house became square with a sound board pulpit positioned for easy viewing and listening.

Wren designed for Protestant worship (Briggs, 1946). The Anglicans also needed an auditorium-like plan in which the minister could be seen and heard. Wren states in a letter to those responsible for erecting the London churches, "the churches must, therefore, be large, but still in our reformed religion, it should seem vain to make a parish church larger than that all who are present can both hear and see. Our churches are to be fitted for auditories" (Wren, London letter, c. 1724; Briggs, 1946). The

Puritans and Anglicans, therefore, equally adopted the Georgian architecture of the early eighteenth century.

Tidewater provided plenty of clay deposits, so that, like in England, brick was a convenient building material in which to portray the new "order". Georgian architectural elements were produced so that a balance was achieved. The order of nature was a prevalent issue during the Renaissance. Order was proclaimed by the new natural sciences and the new philosophies (Descartes). Architectural symmetry was a reflection of this concern for natural order. The "Latin cross" was a church plan derived from the intentional display of balance. It also provided a visual and auditory exterior space. Elizabeth City Parish Church built in 1728 is a classic example. The three arms of the cross are the same length. The nave is two times the length of the transept (Rawlings, 1963:99). Other Tidewater churches built on this plan are numerous: Bruton Parish Church (1711-15) and Norfolk's Borough Church (1739) are examples. Another popular plan was the long rectangle with the nave and chancel within one enclosure. The York-Hampton Parish Church in Yorktown originally had a rectangular plan. A north wing was added in mid century creating a "T" shape plan (Hatch, 1970).

The churchyard enclosures around these churches had brick walls. However, the brick walls were put up several decades after the brick church. The 1728 Elizabeth City Parish Church had a wooden enclosure, probably a paled fence, until 1759, 31 years later. The Borough Church in Norfolk was built in 1739. Its brick wall did not get constructed until 1759. According to the Borough Church's vestry minutes, the churchwardens ordered the levy of an extra 28 lbs. of tobacco in October 1758 to "pay off the Parish

debts with the same". In October 1759, 12000 lbs. were appropriated towards "bricking in the churchyards" and the "severall sums lvyed toward walling in the churchyard are to be received from the collectors". The next month another short meeting occurred in which a "further sum towards bricking in the churchyards" is accounted at 32,538. The parish levy is assessed at 40 lbs. per pole (tithable) at this meeting plus the 28 lbs. of tobacco assessed for parish debts during the previous October meeting. The building of the walls was to be "put up to the lowest bidder at such times as the churchwardens "shall think proper". The churchyard of the Borough Church was 1-3/4 acres. It was a large space to be enclosed. The brick wall apparently was built in stages having the lowest bidders hired for the work.

The York-Hampton Parish Church was built in 1697 and according to Charles Hatch's historical study, no detailed eighteenth century description of the church is available. He conjectures that the "churchyard wall" came up in mid-century along with the north wing (Hatch, 1970:9). The north "T" wing extension and the brick wall were probably raised to accommodate the increased population of the parish, since Yorktown was a busy port during this time (Hatch, 1970:6).

The archaeological evidence of the wall's footing, places it around part of the second 1/2 acre lot bought in 1713. The brick wall, therefore, went up at least after 1713. The "church wall" is well documented by 1781 on the Frenchman's map (Reps, 1972:85) and deeds for adjacent lots beginning in 1783 (Hatch, 1970:9).

The brick walls around the churchyards of the York-Hampton Church in Yorktown, the Borough Church in Norfolk, and the Elizabeth City Parish

church in Hampton were constructed in the same years. Because these churches were all in port towns, their particular economies plus the Virginia economy, in general, may have contributed to this. For the parishes to be able to afford an additional or an increased levy in mid-century, may partially have been enhanced by the economy.

Hampton's economy in the mid eighteenth century was thriving. Hugh Jones notes in 1724 that the main crop in Elizabeth City County was tobacco and he referred to Elizabeth City as one of Virginia's "sweet-scented counties" (Jones, 1956:12). Sweet-scented tobacco versus Oronoco brought higher prices. It had a milder flavor and was in demand. As a port in 1752, Hampton's average trading year saw 156 ships clear port and 164 ship's enter (Taylor, 1960:14). The sloops, schooners, brigs, cleared port bound for the West Indies, the British Isles, other coastal ports, Europe, and African ports (Taylor, 1960:14). The ships were laden with foodstuffs, tobacco, wood products, deer skins, tar and pork.

Norfolk's economy by mid-eighteenth century relied upon the export trade to the British West Indies, Jamaica, and Antigua. The sandy soils made tobacco impractical. Timber, pitch, tar, turpentine, ship building, and hog raising-butchered were the home products. The North Carolina coast line did not have a spot for a good harbor. They transported their produce of tobacco, hogs, cattle, pork, deer skins and beef, to Norfolk for export. In 1733, the Carolina imports to Virginia equaled 50,000 lbs. (Wertentaker, 1931:37). When Virginia farmers began raising more wheat and corn, it was mid-century. The market for these crops were in Jamaica and Antigua. Norfolk already had export traffic to the West Indies. The farmers transported their grains down river to Norfolk for export. This

made Norfolk the main export port for Virginia, Maryland, and North Carolina in the mid to late eighteenth century.

The population had increased from a few hundred in 1700 to an estimated 6,000 in 1775 (Wertenbaker, 1931:50). The tythables collected within the Borough Parish between 1750 and 1760 were never under 2,300 and in 1760, 3,031 are listed (Vestry Book Borough Church, 1749-1761). In the year when the churchyard wall was being built 1759, the levied tythables amounted to 118,795 lbs. of tobacco.

In connection with the economy, the Virginia legislature issued an order in 1758 called the "Two-Penny Act". The Act directed, that because of the uncertainty of the tobacco crop in that year, all salaries of public officials, who were required by statute to be paid in tobacco, might at the discretion of the authorities be paid in Virginia currency (Brydon, 1947, 11:23). The tobacco was computed at a value of two pence per pound. Tobacco during the year, however, was sold at around 6 pence per pound in the open market. The clergy, who were paid in pounds tobacco by their parishes, suffered greatly. Their salaries had been advanced to 16,000 lbs. tobacco in 1696 by Act of Assembly. In 1758 the 16,000 lbs would be paid in 133 sterling which was a great deduction from the 400 or more sterling possible on the market. The unfairness of the act was appealed to the King by the parsons. The King disallowed the law, but it took over a year for the appeal and the King's reply. Meantime, the parishes acted upon the law. The parishes, as a consequence, retained more of the levy during this year, 1758, which may have stimulated its use for church maintenance and additions. Since the three brick walls of Yorktown, Hampton and Norfolk, have construction dates immediately after 1758, a pattern is suggested. A pattern is plausible for the port towns, which

already were having a boon time economically. The additional funds in the parish accounts, due to the Two Penny Act, may have contributed to the decision to build.

The variables involved in the decision to build the brick wall around the Elizabeth City Parish Church in 1759 were various and complex. The economy of the port town was on the rise for the mid-century. The money in the parish was more available to contemplate construction during the 1750-60 decade. Contributing specifically to the affordability in 1758-59, was the Two Penny Act. The legislation of Virginia had required enclosures around burial grounds since the 1620's. The wooden fences, hedges, or ditches used prior to the wall needed continual maintenance. Building of brick would be an initial cost, but its durability would prohibit as much labor to maintain it in the future. Because Anglican traditions joined the "burial places of the dead" in the same space as the churchyard, where public meetings took place, the area around the church was enclosed with the wall. And lastly, the space around the church was public property. The property within Hampton Town had to be enclosed as a measure of protection against the stray animals (cattle, hogs, sheep, goats) which might damage the environs, whether they be gardens orchards, or graves.

In Hampton, the Pound used to contain strays was not re-legislated after 1756. Whether the pound continued is unknown, however, if it did not, the animals would again inhabit the town's streets in greater profusion. A wooden fence was not as strong a boundary as brick against animal intrusion onto the church property. By the mid-eighteenth century, the philosophy of death considered the dead to only be resting together in communal sleep. Animals roaming through the grounds would necessarily

disturb not only physically, the interred bodies, but would also disturb their peaceful sleep.

The modern concept of "sacred grounds" is beginning to arise and the Romantics of the nineteenth century bring it to fruition. Church property, it must be remembered, was never consecrated during the seventeenth and eighteenth centuries in the Anglican colonies. There was no Ecclesiastical authority, except the colonial government, the vestries, and the clergy. Consecration was by a Bishop. In the early nineteenth century, many of the Anglican colonial churches and their grounds were finally consecrated, but by the American Anglican Bishops. Therefore, the sacredness of the churchyard was never the sole purpose for protecting the dead with a brick wall in the eighteenth century. The cultural process, which led to the decision, included many facets of the parish's life. These variables connected their past with their present.

The decision to build a brick wall in 1759 by the Elizabeth City Parish was not caused by any single independent variable. Their Tidewater economy, Anglican socio-religious beliefs, Georgian architecture, parish politics and colonial administrations, all contributed to the decision. The study attempts to demonstrate how many systemic variables can create a piece of material culture. In this case, an eighteenth century brick churchyard wall. To study material culture, the archaeologist/historian, must realize the complexity of its creation. To understand the materials of a society, the cultural system behind its creation must be examined. The variables of that system, the economy, politics, religious rituals, social rituals, and cognitive images, may all have an influence upon the

human production of the object. In order to relate an artifact to the rest of the assemblage, its place in space horizontally and vertically must be measured. For a human product to be related to the rest of society, its place in relation to the other variables of the cultural system must be studied. This reasoning led to the systemic framework in this study. Several culturable variables were chosen, examined, and included when an influence was perceived to exist. The brick enclosures around the colonial churchyards of Tidewater have always lent an aesthetic ideal to the reasons behind their existence. Hopefully, this study has pointed out the multiple aesthetic and practical reasons for their existence.

CHAPTER I

Appendix 1-A

1724

Grand Jury presented "the Church Wardens of this Parish and County for not keeping the Churchyard in good repair (Mason, 1945:107)

December 15, 1725

On reading at this Board the petition of Anthony Armistead and Simon Hollier Gent in behalf of themselves, and the greater number of the Freeholders and Inhabitants of the parish of Elizabeth City, complaining of the great hardships & inconveniences under which the Inhabitants of the said parish have long time laboured by means of the scituation of their parish Church, and other proceedings of a pretended Vestry are still endeavouring to increase the grievances of the people by building a new Church at a place yet more inconvenient than the former, and praying that they may be heard before this Board to shew cause why the said pretended Vestry ought to be dissolved, It is Ordered that a Copy of this petition be sent to the said Vestry of Eliz^a City parish, and that the several parties be heard thereon before this board on the first day of next General Court, and that the said Vestry do not proceed any further in contracting for or building the said new Church untill such hearing.

(McIlwaine, 1930, v. 4:94)

18th day of April 1726

"Knowall men by those presents that wee, the fubscribers under written Do acknowledge to pay to Capt: Simon Hollier and Charles Jenings, their heirs Bc-, the several sums of money hereafter set down for and towards Implaying Lawyers in order to obtain an order for a due Election of a Legal Vestry in Eliz: City Parish, As witnefs our hands this 18th day of April 1726--

James Naylor 2 6	Ric ^d Milby 1	Joseph Skinner 7 1/2
Charles Caspin 2 6	Edw ^d Lattimer 5	Tho: Batli 2/6

John Parrish 006	W ^m Cuningham 1 ^{sh} 1
John Robertson 2 6	John House 1/3
John Ralls 1 6	W ^m Lattimer 1
John Chalmers 5 ^{sh}	Th ^s Latimer 1 6
	Th ^s Michell 2 6"

(Palmer, 1968:209)

April 22, 1726

The Inhabitants of the parish of Elizabeth City petitioning against the Vestry of the said parish this day attended the Board together with the persons deputed by the said Vestry, and the latter moving for Council to be assigned them, and the former for leave to examine witnesses in the County who are ancient and unable to travell. This Board do accordingly assign John Randolph Esq' Council for the said Vestry, and it is Ordered that such witnesses as the pet^r shall judge material to prove the allegations of their petition be examined on Oath by any Justice of the peace of Elizabeth City County, and their depositions returned to the Council Office to be made use of at the hearing of both parties which is hereby appointed to be on the last Thursday in May next.

(McIlwaine, 1930,v.4:97)

CHAPTER I

Appendix 1-A

Several Witnesses from April 18, 1726, who were located in ECC Deed Book who had property near the Hampton River. This was the original location of Settlement and is the eastern most part of the parish by 1724-1727.

John Parish ECC DB 12 1796-1806 P.52, 62

John Robertson ECC DB & Wills 1701-1901, p. 57
1704-1730, p. 64, 80

Thos: Bayle ECC Will 1689-99 p. 138
ECC DB 1796-1806 p. 229, 336

James Naylor ECC Will 1701-1704 Pt.1 p. 281

October 27, 1727

"Whereas Sunday Inhabitants and the Majority of the Vestry of Elizabeth City Parish have represented to the Governour that the Church of the said Parish is so ruinous that it is dangerous for them to Repair thither for the Performing Divine Service and that great Differences have arisen between the Inhabitants of the said Parish and upon the occasion of the said Differences an Order was made by the last House of Burgesses that the present vestry should not proceed to the building of a New Church before the next session of Assembly, which is complained of as a great grievance to the Petitioners and other Inhabitants who have petitioned the Governour for relief therein; the Governour this day in Council took the Matter of the said Petition into consideration and upon hearing of all Parties by their Council, It is the opinion of the Board that the New Church ought to be built in the Town of Hampton as the most convenient place in the said Parish and that the Vestry be at liberty to proceed to the building of the same accordingly." (Va. Council Journal, 32 V:246-7)

7 January 1727

"At Court 7 January 1727 Present Joshua Curle, James Wallace, Jacob Walker, Wilson Cary; Justices. Mr. Joshua Curle took the oathe to the Government and the oathe of Justice of the peace and signed the Test Mr. Jacob Walker and Mr. John Loury are appointed to Lay off and value an acre and half of Ground at the upper end of Queen Street Joyning upon Mr. Boswells Lott for the Building of the Church thereon"(Elizabeth City County Court Records, 1723-29:277).

"It is agreed by the Minister, church wardens and Court to Furnish Mr. Henry Cary with wood, At the rate of six Pence P Load, To Burn Bricks for the Church, From the school land (orders signed)

Joshua Curle"

(Elizabeth City County Records, 1723-29,orders:226)

February 1, 1727

"An Act for dissolving the present Vestry of the Parish of Elizabeth City; and for appointing a new Election of Vestrymen for the said Parish"

Whereas it is represented to this Assembly by the Complaint of divers of the Inhabitants of the Parish of Elizabeth City in the County of Elizabeth City, That some of the Inhabitants of the said Parish now do, and for several years last past have taken upon themselves, to act as Vestry men of the said Parish without being lawfully chosen or qualified, and have imposed hardships on the Inhabitants of the said Parish, For Remedy whereof, for the future,

Be it Enacted by the Lieutenant Governor, Council, and Burgesses of this present General Assembly, And it is hereby Enacted by the Authority of the same, That the Vestry or pretended Vestry of the said Parish is and are hereby dissolved, And that all and every Act and Acts, Thing and Things, which at any time or times hereafter shall or may be performed, suffered, or done by them as a Vestry or pretended Vestry of the said Parish, shall be and are hereby declared to be utterly void, to all intents and purposes whatsoever.

Provided alwaies That all and every Levy and Levies heretofore laid, And all and every other Act and Thing, by the said Vestry or pretended Vestry done or suffered, shall be good, valid, and effectual in as full and ample manner, as the same would have been, if this Act had not been made.

And Be it Further Enacted by the Authority aforesaid That the Freeholders and Housekeepers of the said Parish of Elizabeth City shall and they are hereby required to meet at the Church of the said Parish on the last day of April which shall be in the Year of Our Lord MDCCXXVIII, and then and there elect twelve of the most able Men inhabiting the said Parish to be the Vestry men of the said Parish, Which said Vestry men so elected, being qualified as the Law enjoins, are hereby declared to be and shall be esteemed and taken to be the Vestry men of the said Parish of Elizabeth City.

And to the end that the said Freeholders and Housekeepers may have due notice thereof,

Be it Further Enacted by the Authority aforesaid That the Minister or Reader of the said Parish, at the charge of the Parish, shall procure a Copy of this Act and cause the same to be Published in the said Church immediately after divine Service is ended on two Sundaies, at least, next before the said last day of April, on penalty of forfeiting two thousand pounds of Tobacco, One moiety thereof to Our Soverain Lord The King, his Heirs, and Successors, And the other moiety to him or them that will inform or sue for the same, To be recovered by Action of Debt, Bill, Plaint, or Information in any Court of Record within this Dominion, wherein no Essoin, Protection, or Wager of Law, or any more than one Imbarlance shall be allowed.

(McIlwaine, 1930, v.4:151)

CHAPTER II

APPENDIX II-A

March, 1661-2

ACT XV.

Buriall of Servants or others privately prohibited. (b)

WHEREAS the private buriall of servants & others give occasion of much scandall against diverse persons and sometimes not undeservedly of being guilty of their deaths, from which if the persons suspected be innocent there can be noe vindication (c) if guilty noe punishment, by reason they are for the most part buried without the knowledge or view of any others then such of the family, as by necesse of relation (as being husband wife or children (d) are unwilling) or as servants are fearfull to make discovery if murder were (e) committed: for remedy whereof as alsoe for takeing away that barbarous custome of exposing the corps of the dead (by making their graves in comon and unfenced places) to the prey of hoggs and other vermine, *Be it enacted* that there be in every parish three or fower or more places appoynted (according to the greatnes or litlenes of the same) to be sett apart and fenced in, for places of publique buriall, for that precinct, And further that before the corps be buried there be at least thre or fower of the neighbors called who may in case of suspicion view the corps, and if none, yet according to the decent custome of all Christendome they may accordingly att to the ground, (f) *And be it farther enacted* that noe persons (g) whether free or servants shall be buried in any other place then those soe appoynted, unless such who by their owne appoyntment in their life time have signified their desires of being interred in any particular place elsewhere.

Preamble, reciting the ill effects of private buriall.

Burying places to be appointed in every parish.

See vol. 1. p. 123, 161, 227, 241.

Neighbors to be called in, who are to view the corpse, in case of suspicion.

None to be buried in any other place, except by their own appoyntment.

(Hening, 1969, v.2:53)

October 1705

- 3rd trespass.** **II.** *Provided always, and it is hereby intended, That* for a third offence of any one or more horses, mares, cattle, hogs, sheep, or goats, breaking into inclosures as aforesaid, and barking fruit-trees, it shall be at the election of the party injured, to sue for his damages, or to kill and destroy the beasts or kine so trespassing, without being answerable to any one for the same.
- Fence, how viewed.** **III.** And to the end, that the condition of the fence, at the time of the trespass committed, may be proved to a jury, upon trial, *Be it enacted, by the authority aforesaid, and it is hereby enacted, That* upon complaint made by the party injured, before any justice of the peace for that county wherein the trespass shall be committed, the said justice of peace is hereby impowered and required to issue his order, without delay, to three honest house-keepers of the neighbourhood, who are no ways related to the party injured, nor interested concerning the trespass, reciting the complaint, and requiring them to view the fence where the trespass is complained of, and to take memorandums of the same; and their depositions, in such case, shall be good evidence to the jury, as touching the lawfulness of the fence.
- Penalty, for injuring beasts, if the fence be unlawful.** **IV.** *And be it further enacted, by the authority aforesaid, and it is hereby enacted, That* if any person damaged, for want of such sufficient fence, shall hurt, wound, lame, kill, or destroy, or cause to be hurt, wounded, lamed, killed, or destroyed, by shooting, hunting with dogs, or otherwise, any of the kind or breed of horses, cattle, sheep, goats, or hogs; he, she, or they so offending, shall pay and satisfy to the owner of the creature so hurt, wounded, lamed, killed, or destroyed, double damages, with costs; recoverable as aforesaid: Except the damage alledged, be under twenty shillings;

(Hening, 1969, v. 3:280)

October 1748

CHAP. XX.

An Act for preventing Trespasses, by unruly Horses, Cattle, Hogs, Sheep, or Goats, and by taking away Boats or other vessels.

I. BE it enacted, by the Lieutenant Governor, Council, and Burgesses, of this present General Assembly, and it is hereby enacted by the authority of the same, That if any horses, mares, cattle, hogs, sheep, or goats, shall break into any grounds, being inclosed with a strong and sound fence, five feet high, and so close that the beasts breaking into the same could not creep through, or with an hedge two feet high, upon a ditch three feet deep, and three feet broad, or instead of such hedge, a rail fence, of two feet and a half high, the hedge or fence being so close that none of the creatures aforesaid can creep through, which shall be accounted a lawful fence, the owner of such horses, mares, cattle, hogs, sheep, or goats, or any one of them, shall, for the first trespass so committed, make reparation to the party injured, for the true value of the damage he shall sustain; and for every trespass afterwards, double damages, to be recovered, with costs, in any court of record of this dominion, wherein the same shall be cognizable.

What shall be a lawful fence.

Penalty on the owner of beasts breaking such inclosure.

Where the party injured may sue for damages, or destroy the beasts

II. *Provided nevertheless,* That for the third offence of any one or more of the beasts aforesaid, breaking into such enclosures, it shall be at the election of the party injured, to sue for his damages, or to kill and destroy the beasts so trespassing, without being answerable for the same.

III. And that the condition of the fence, at the time of the trespass committed, may be proved to a jury upon trial, *It is hereby further enacted,* That upon complaint made by the party injured, before any justice of peace of that county, wherein such trespass shall be, such justice is hereby impowered and required to issue his order without delay, to three honest house-keepers of the neighbourhood, no ways related to the party injured, nor interested concerning the trespass, reciting the complaint, and requiring them to view the fence where the trespass is complained of, and to take memorandums of the same; and their testimony in such case shall be good evidence to the jury, as touching the lawfulness of the fence.

How the fences shall be viewed.

IV. *And be it further enacted by the authority aforesaid,* That if any person, damnified for want of such sufficient fence, shall hurt, wound, lame, kill, or destroy, or cause to be hurt, wounded, lamed, killed, or destroyed, by shooting, hunting with dogs, or otherwise, any of the kind, or breed of horses, cattle, sheep, goats, or hogs, he, she, or they, so offending, shall pay and satisfy to the owner of the creature, so hurt, wounded, lamed, killed, or destroyed, double damages, with costs, recoverable as aforesaid, except the damage alledged to be under twenty five shillings, and then recoverable before any justice of peace, of the county where the damage was done. (Henning, 1969, v.6:87-8)

Penalty for hurting beasts in grounds not sufficiently fenced

APPENDIX II-B

May 1742

CHAP. XVII.

An Act, to empower the justices of Elizabeth-City, county, to erect Pounds; and for other purposes therein mentioned.

I. **W**HEREAS it hath been represented to this Assembly, that the lands in the county of Elizabeth City, consist chiefly in pasture, and the inhabitants of that county are often deprived of the benefit thereof, for their stocks, by ill designing people, who pull down their fences, lay open their pastures, and corn-fields, and turn in their horses and cattle, in the night:

II. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Burgesses, of this present General Assembly, and it is hereby enacted by the authority of the same,* That the justices of the county of Elizabeth City, shall have full power and authority, to erect and keep in repair, or cause to be erected and kept in repair, one or more pound or pounds overt, at some convenient place or places, at or near the town of Southampton, for impounding all horses, cattle, sheep, goats, and hogs, that shall be taken up in any pastures or corn-fields, lawfully fenced, or in any other lawful inclosures within the said county of Elizabeth City:— And to appoint keepers of such pound or pounds, so to be erected, and to settle their fees, and the rates for impounding, keeping, and maintaining the beasts impounded, under such regulations as to them, from time to time, shall seem proper.

III. *And be it further enacted, by the authority aforesaid,* That after the pound or pounds aforesaid, shall be erected, it shall and may be lawful for the inhabitants of the county of Elizabeth City, to take up and detain any horses, cattle, sheep, goats, or hogs, which shall break into, or be found within their pastures, corn-fields, lawfully fenced; or other lawful inclosures, in the said county: And upon complaint made by the party injured, before any justice of the peace in that county, the said justice is hereby required to issue his order, to three honest freeholders of the neighbourhood, no ways related to the party injured, nor interested concerning the trespass, reciting the complaint, and requiring them to view the fence where the trespass is complained of, and to enquire in-

Pounds may
be erected
in Elizabeth
City.

May 1742, continued

to and value the damages, and the beast or beasts committing the same; and to make report thereof to him: And if it shall thereby appear, that the fence or inclosure was lawful, the justice shall direct such beast or beasts to be impounded, 'til the owner or owners shall satisfy to the party injured, his damages sustained, and valued as aforesaid; and shall pay the pound fees. And if the owner or owners of any beast or beasts, so impounded, shall neglect or refuse to pay the damages, and pound fees, it shall and may be lawful to and for the keeper of the pound, and he is hereby required, as soon as the damages, together with the pound fees, shall amount to the appraised value, to make public sale of such beast or beasts, to the highest bidder, after giving at least three days notice of the time and place of the sale, at every church and chapel in the county, on a Sunday; and to apply the money arising from the sale, for and in discharge of the pound fees, and afterwards for and towards satisfying the party injured, his or her damages; and the residue, if any, shall be restored to the owner.

IV. Provided always, That if the owner or owners shall, at any time before the sale, give bond, with one or more sufficient security or securities, to the keeper of the pound, for the payment of the damages, and pound fees, within three months after the date thereof, his, her, or their beast or beasts shall be restored.

V. And be it further enacted, by the authority aforesaid, That this act shall continue and be in force, two years, and no longer.

(Hening, 1969, v.5:186-7)

September 4, 1744

An Act for reviving the act, to impower the justices of Elizabeth City county, to erect pounds; and for other purposes therein mentioned.

"I Whereas the act of Assembly, made in the fifteenth year of the reign of his present majesty, intituled, An Act, to improve the justices of Elizabeth-City county, to erect pounds; and/n other purposes therein mentioned, is expired; and the same having been found very useful, and of great benefit to the inhabitants of the said county of Elizabeth-City, it is proper and expedient that it should be revived;

II Be it therefore enacted, by the Lt. Governor Council, and Burgesses, of this present General Assembly, and it is hereby enacted by the authority of the same, That the said recited act shall continue and be in force, from the passing of this act, for the term of four years, next following and no longer" (Hening, 1969, v. 5:266).

October 1748 to May 1749

An Act for reviving the Act to empower the Justices of Elizabeth City County to erect Pounds and/or other purposes therein mentioned.

"Whereas the act made in the 15th year of the reign of his present Majesty, intituled on "Act to empower the justices of Elizabeth City County to erect Pounds, and/or other purposes therein Mentioned, which having expired, was revived by one other act made in the eighteenth year of His said Majestys Reign and is again expired, And the same being found Beneficial to the Inhabitants of the said County, it is necessary that the said Act should be again revived, Be it therefore Enacted by the Lt. Governor Council, and Burgesses, of this present General Assembly, and it is hereby Enacted by the Authority of the same, that the said recited Act of Assembly shall be in force from and after the passing here of for and during the Term of Seven years from thence next following and no longer" (Hening, 1971:415).

APPENDIX II-C

Excerpts from the Vestry Book of Elizabeth City Parish

November 17, 1762

"To Col. Robert Armistead his Account for Benches Horse Block and Racks and framing for the church Gates.....5.11.2" (p. 126)

February 4, 1763

"To Thomas Cooper for making 2 Churchyard Gates and finding hinges and Painting..... 2.10" (p. 129)

December 5, 1765

"Resolved that a Cover be built over one of the Horseracks at the Churchyard the particular to be agreed on by the Church Wardens -" (p. 165)

January 12, 1769

"For John Skinner for work done to Church Gate" 1.10.0 (p. 195)

January 19, 1770

"For John Skinner for mending the Church Gate.....10" (p. 204)

January 4, 1774

"For Tobacco Towards building a shelter house for the reception of chairs and horses, to be sold by the Church Wardens, the House to be 50 by 20 with posts in the ground,4000 lbs tobacco" (p. 243)

APPENDIX II-D

Miles Cary's Pasture Tract
 Survey and Plat Book 1761-1883
 May 6, 1811 p. 21

Then surveyed Curles Pasture Land at the request of Mr. Miles Cary of Fluvanna County. Beginning opposite to Brights House across Brights Creek, thence down said creek, S87°E 18 poles, S68°E 12 poles, S82 3/4°E 14 poles. S6°E 6 poles, S62°E 14 poles to the mouth of Brights Creek at Landing Point S16°E 4 poles going down Hampton River, S48 2/2°W 17 poles, S62 3/4°E 12 poles, S 13 1/2°E 20 poles, S6 1/11°W 19 poles, S40°W 12 poles, N48°W 14 poles, S47 1/2°W 15 1/2 poles, to the head of cove, S17°E 10 poles, this course cutts Smiths window on the opposite side of the river, S50 1/2°E 20 poles, to the point of the cherry tree, S20°W 10 poles, S42°W 10 poles, to the point at the mouth of a cove that divides this from Town, S71°W 6 poles going up said cove N66 1/3°W 16 poles, S40 1/2°W 3 poles, S20 1/2°E 11 1/2 poles from the of this station to Smiths window N82 1/2°E, S61 3/6° 16 poles, S86°W 20 poles, N81 1/4°W 8 poles, S87 1/4°W.....to the north boundary of the Town, thence by said boundary S36°W 61 poles, to a stob on Ditch bank, which is a Right Line with the back of the Churchyard Wall, same course 22 poles and three feet to the south east corner of the Churchyard wall, N6°W 17 1/4 poles along the wall of the Churchyard, S84°W 11 poles and two feet to the North west corner of the Churchyard wall, N87 1/2°W 161 1/2 poles by the line of Servant and Pryor to the road that leads to Fox Hill, N1°W 60 poles along said road to Pembroke branch, N47°W 15 1/2 poles across Pembroke branch, N16 1/2°E 27 1/2 poles to a turn in the road near Pembroke Red Gate, N39 1/2°E 165 poles along the road to Thomas Latimers line or corner near M. Hopes. N88°E 40 poles to a branch, same course 20 poles to the centre of the branch that divides Thomas Latimer and Brights or Elliotts, S80°E 70 poles by Brights line to the creek, a right line across the creek to the beginning.

Surveyor Thomas L. Nicholson
 Papers and Plat filed N056 in
 Bundle N066

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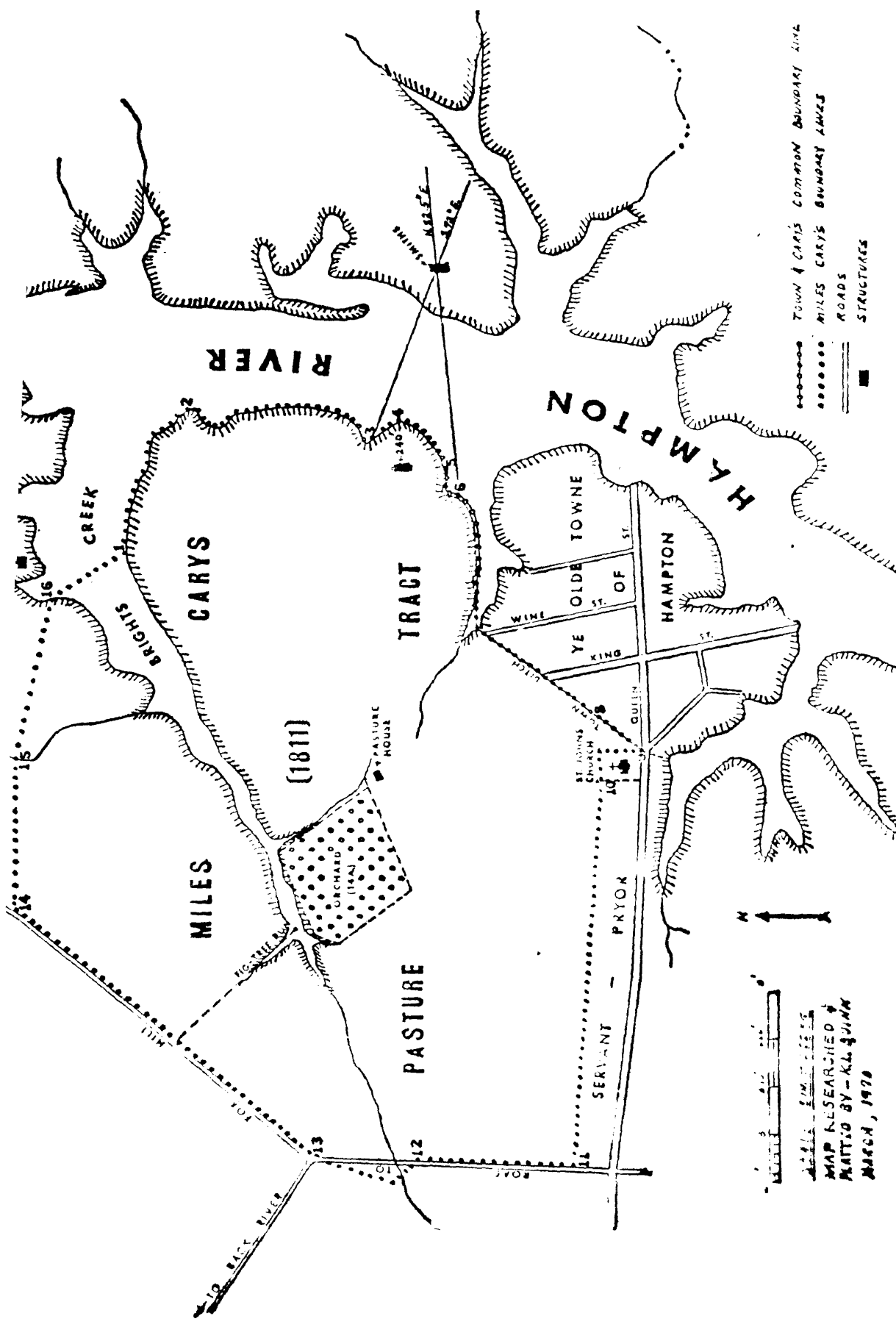
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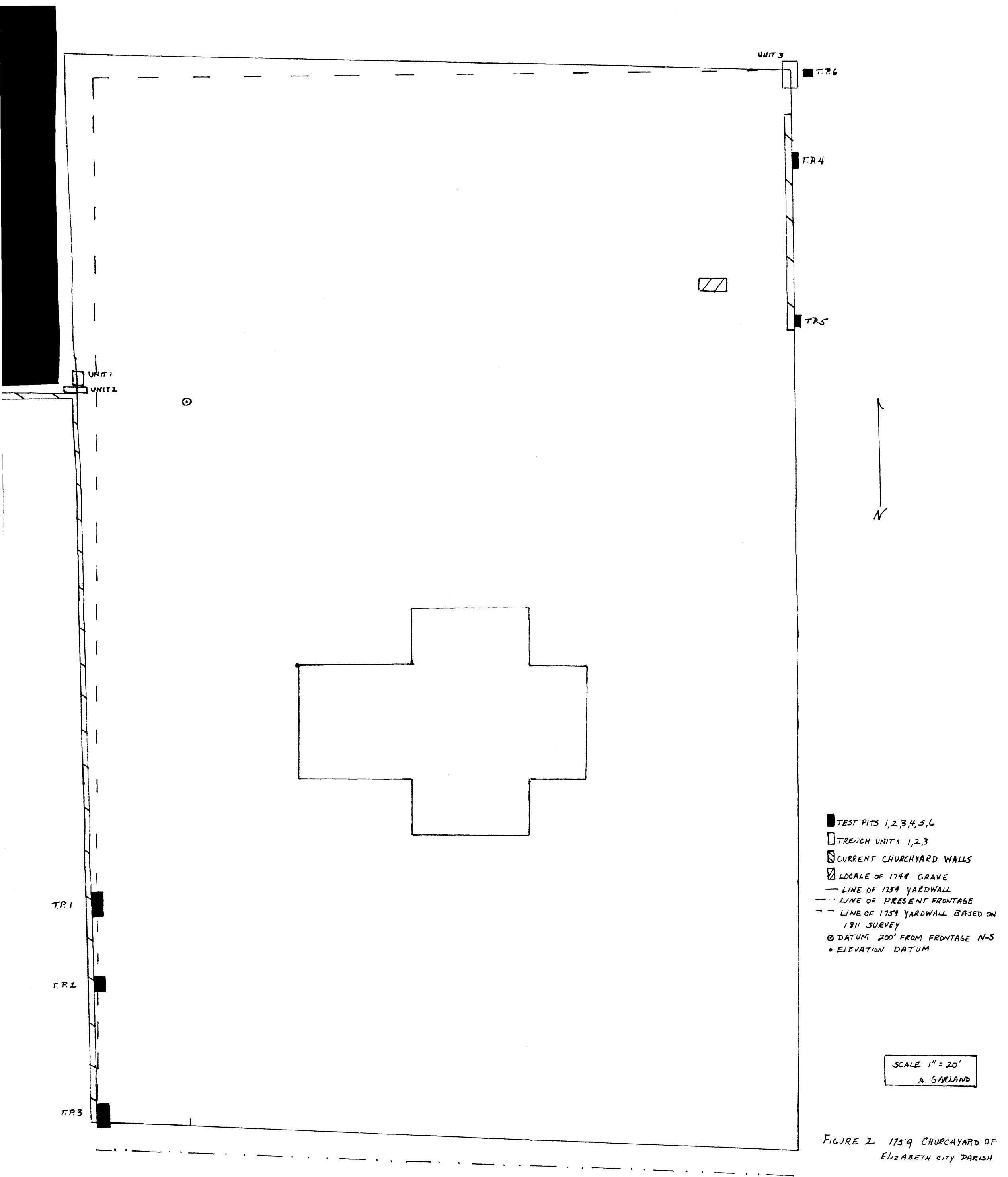
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This is a sketch of a map of a Weekly cover of 1866 depicts the cavalry and Indian scouts on
 Carys's tract. The drawing was by famed western artist Frederic Remington who frequently
 visited General Nelson Miles in the field.

FIGURE 1

DATE DATED (1872) Newport News-Hampton, Va. Sunday, May 10, 1970



- TEST PITS 1,2,3,4,5,6
- TRENCH UNITS 1,2,3
- ▨ CURRENT CHURCHYARD WALLS
- ▧ LOCALE OF 1744 GRAVE
- LINE OF 1759 YARDWALL
- - - LINE OF PRESENT FRONTAGE
- · - · LINE OF 1759 YARDWALL BASED ON 1811 SURVEY
- ⊙ DATUM 200' FROM FRONTAGE N-S
- ELEVATION DATUM

SCALE 1" = 20'
A. GARLAND

FIGURE 2 1759 CHURCHYARD OF ELIZABETH CITY PARISH

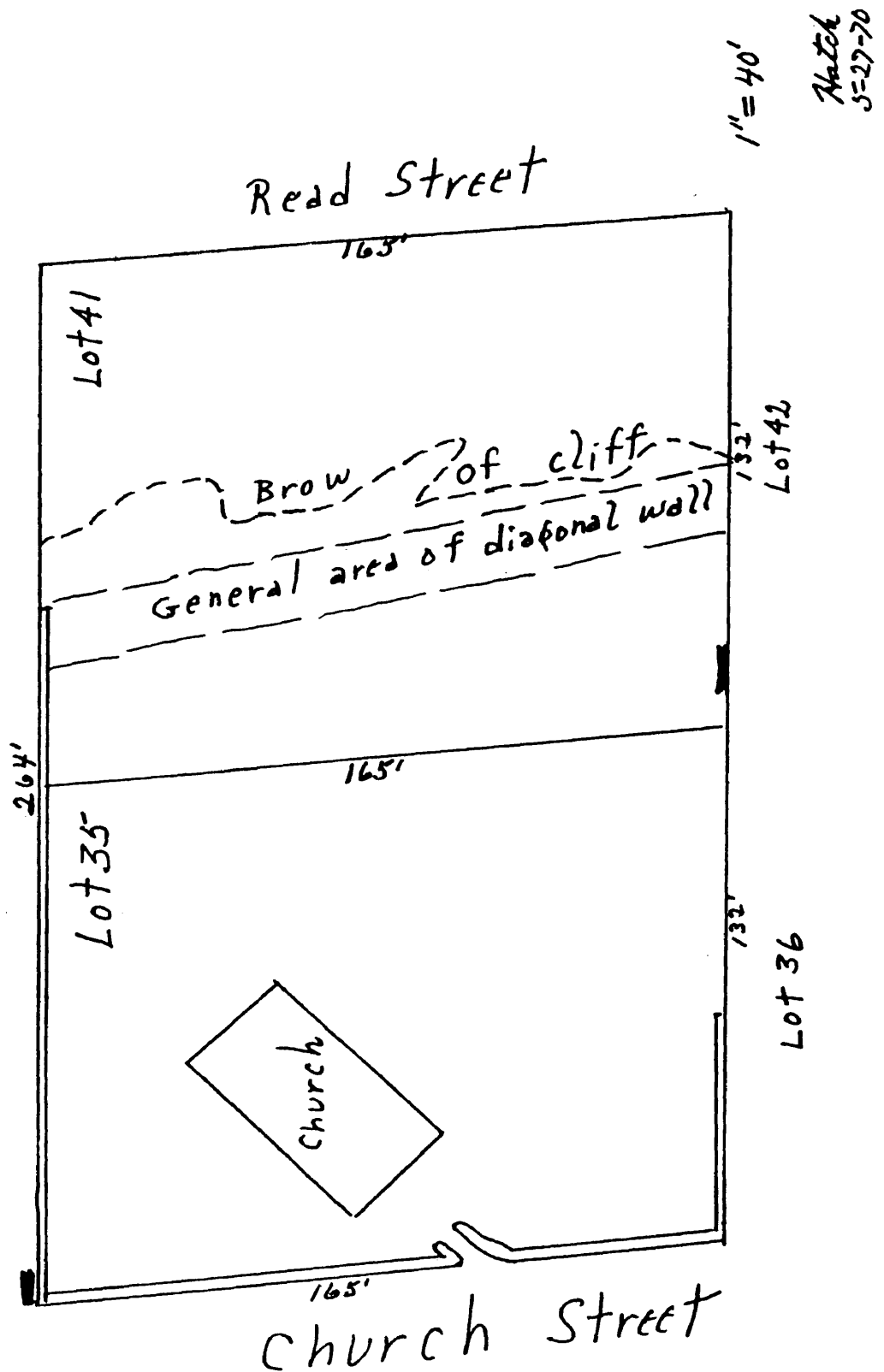
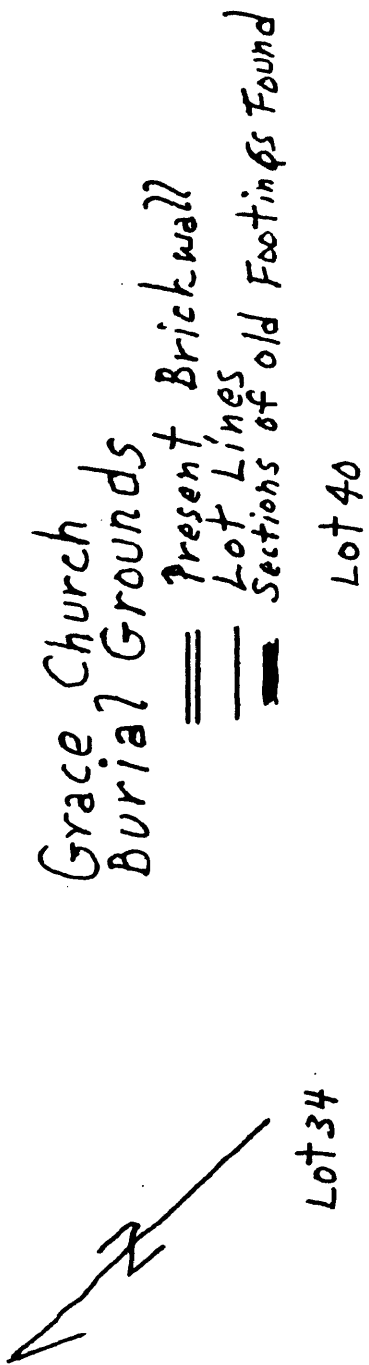
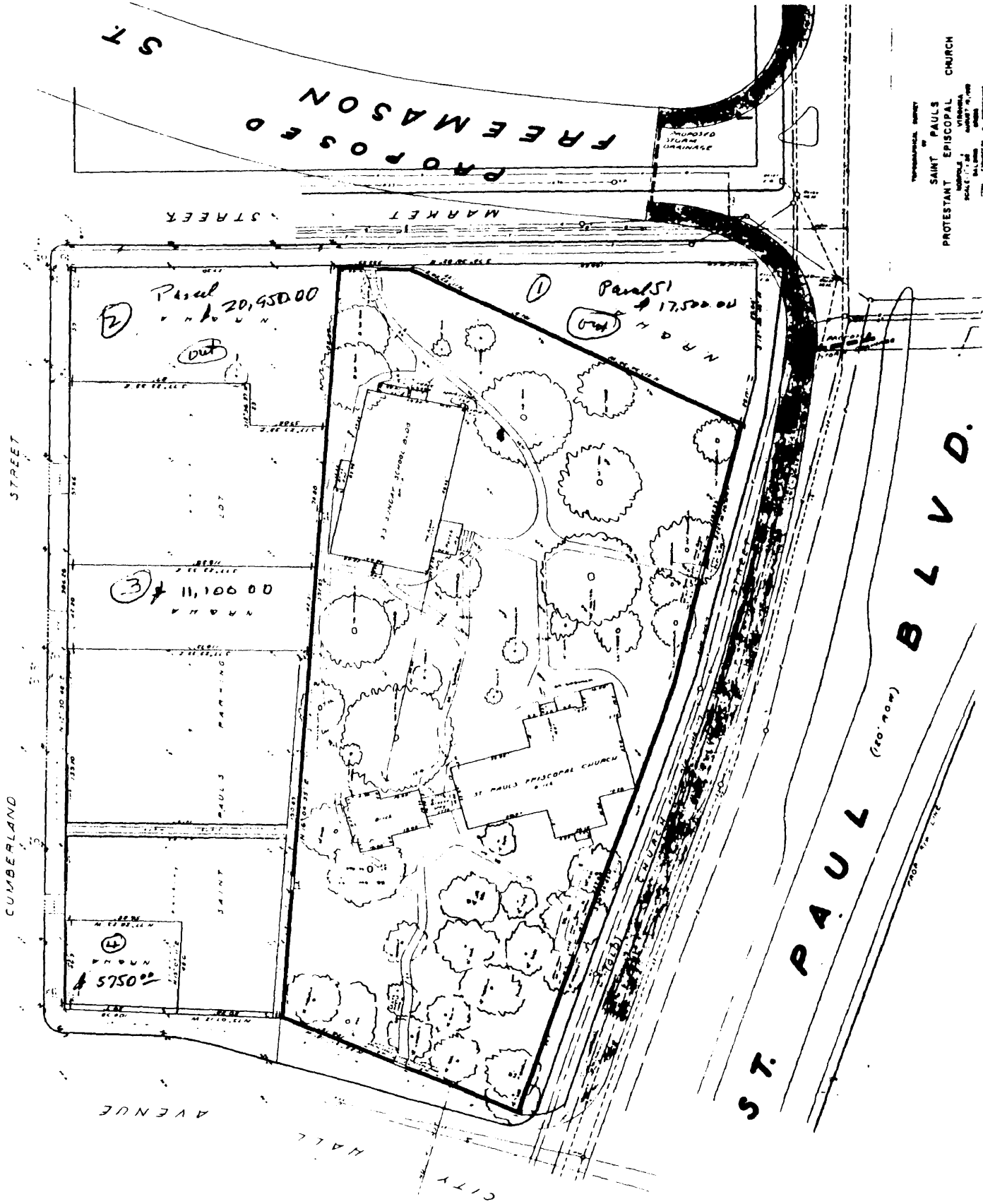


FIGURE 3



TRANSPARENT, INC.
 SAINT PAUL'S
 PROTESTANT EPISCOPAL CHURCH
 ARCHITECTS
 SCALE 1/4" = 1'-0"
 DATE 10/1/78

FIGURE 4

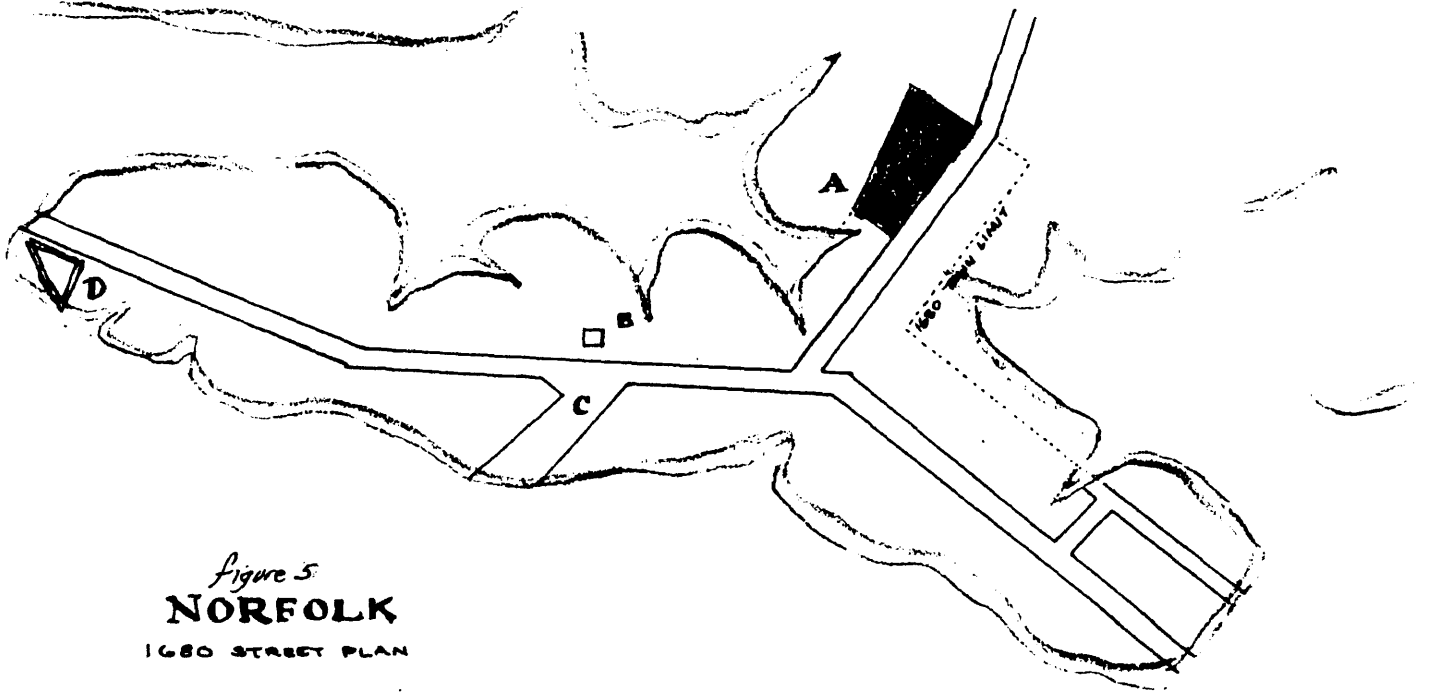
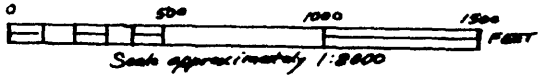


Figure 5
NORFOLK
 1680 STREET PLAN
 A: Elizabeth River Parish Church (1641; 1739)
 B: Court House (c 1694)
 C: Market
 D: Fort (1678)
 (courtesy of Richard Cawthon)



LOWER WESTOVER SITE LAYOUT

44CC10

1967



FIG. 2

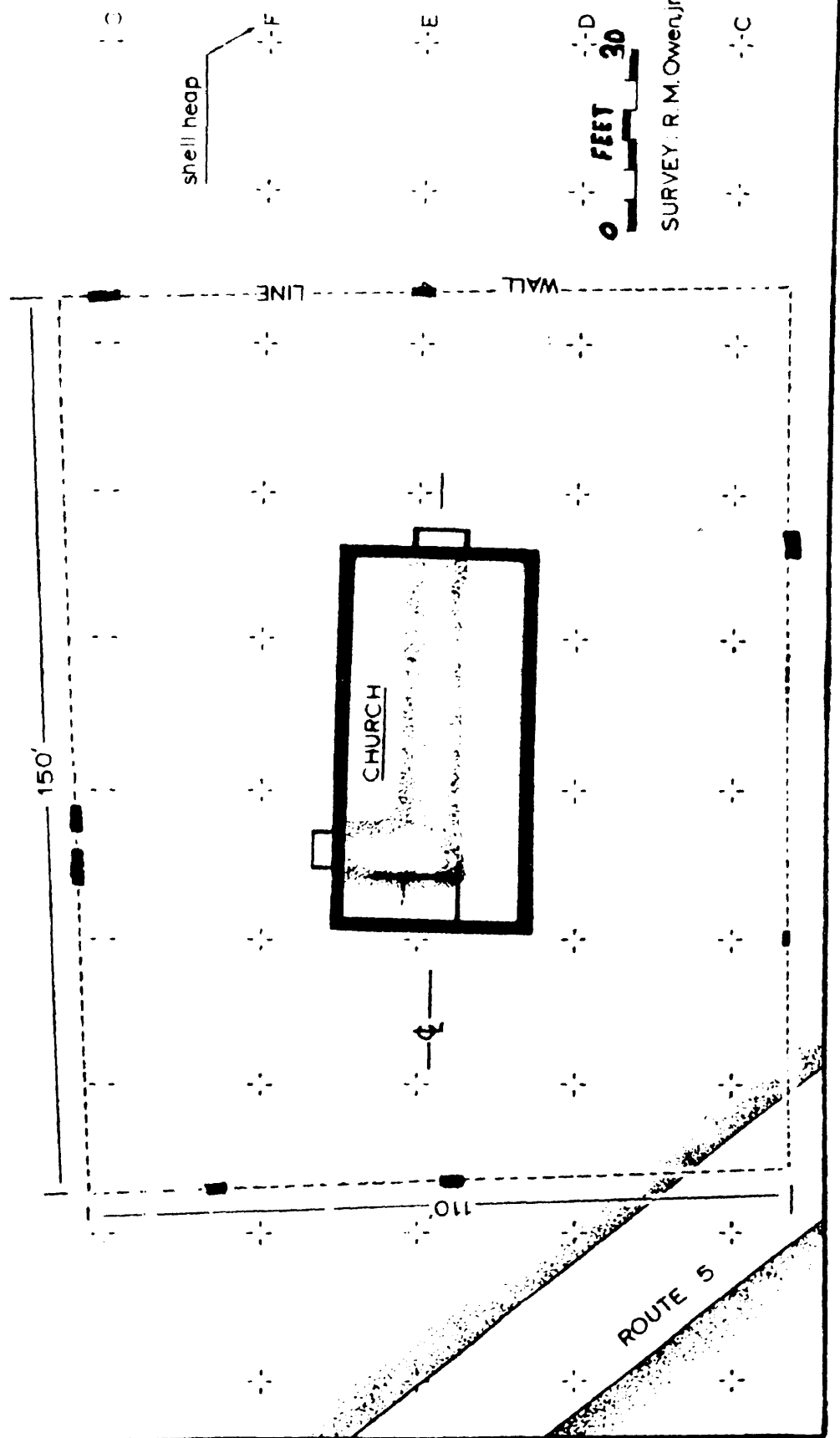
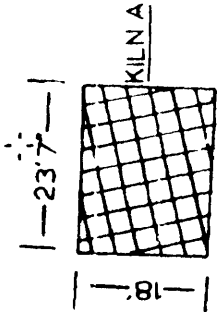
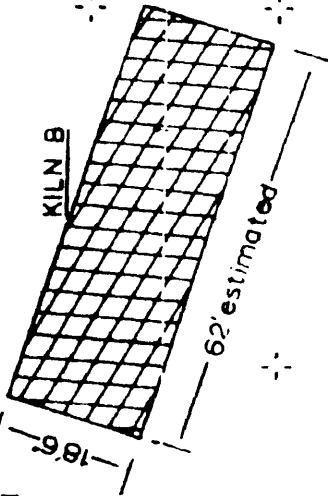


FIGURE 6

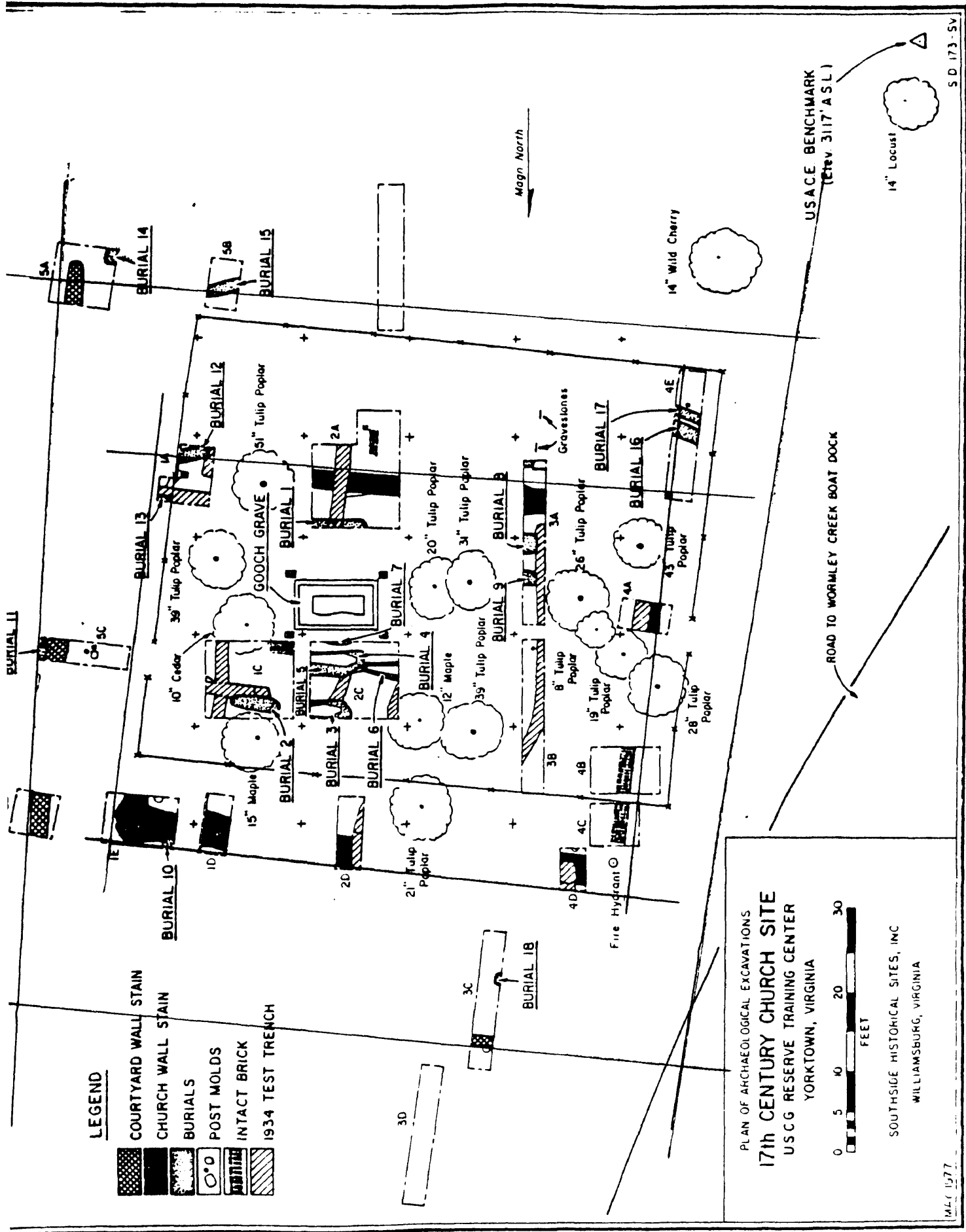
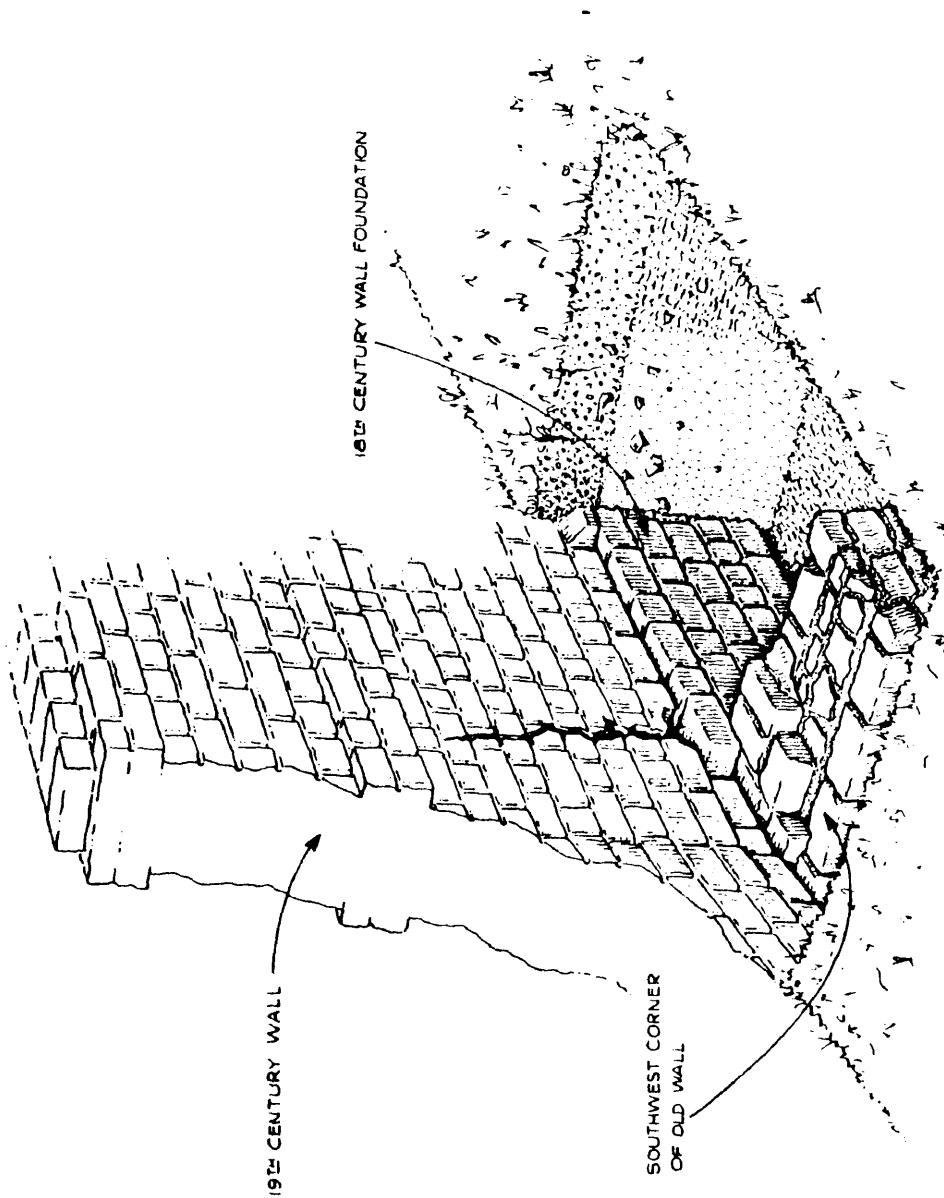


Figure 7



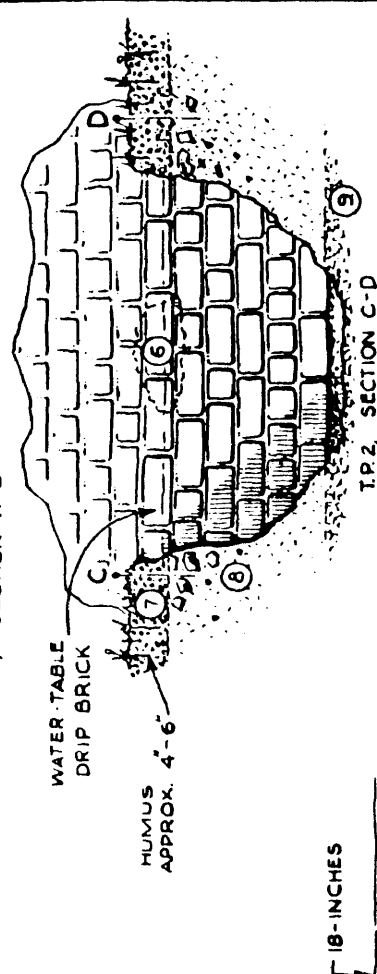
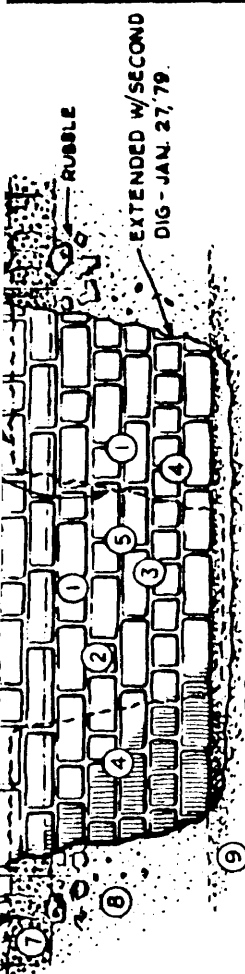
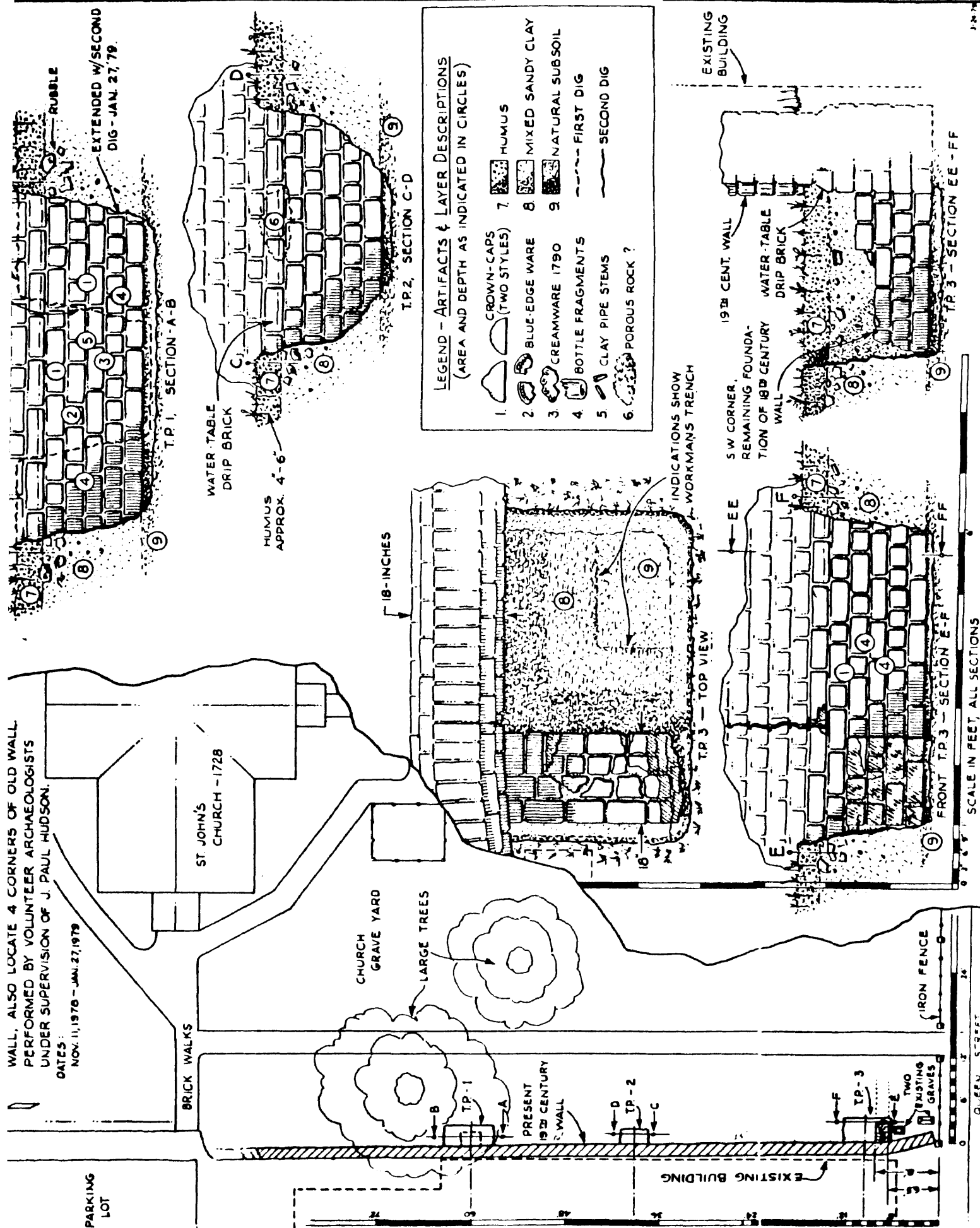
3 DIMENSIONAL VIEW OF TEST PIT NO. 3

SITE
ST. JOHN'S CHURCH
 HAMPTON, VIRGINIA
 EXCAVATION - JAN. 27, 1979 UNDER SUPERVISION
 J. PAUL HUDSON
 DRAWN - MAR. 26, 1979 LOUIS LUEDTKE

FIGURE 8

WALL, ALSO LOCATE 4 CORNERS OF OLD WALL PERFORMED BY VOLUNTEER ARCHAEOLOGISTS UNDER SUPERVISION OF J. PAUL HUDSON.

DATES: NOV. 11, 1976 - JAN. 27, 1979



LEGEND - ARTIFACTS & LAYER DESCRIPTIONS
(AREA AND DEPTH AS INDICATED IN CIRCLES)

1. CROWN-CAPS (TWO STYLES)	7. HUMUS
2. BLUE-EDGE WARE	8. MIXED SANDY CLAY
3. CREAMWARE 1790	9. NATURAL SUBSOIL
4. BOTTLE FRAGMENTS	- - - - - FIRST DIG
5. CLAY PIPE STEMS	— — — — — SECOND DIG
6. POROUS ROCK ?	

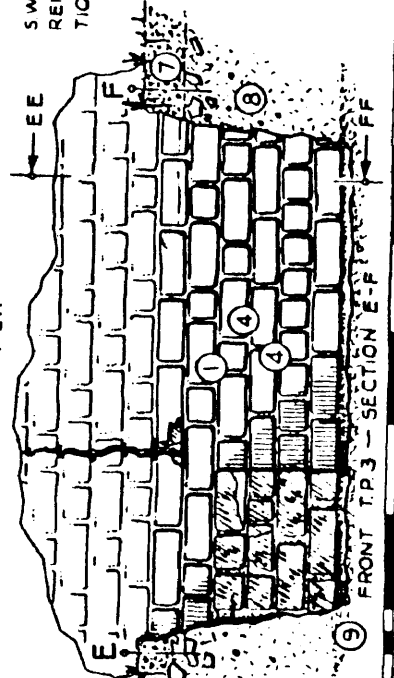
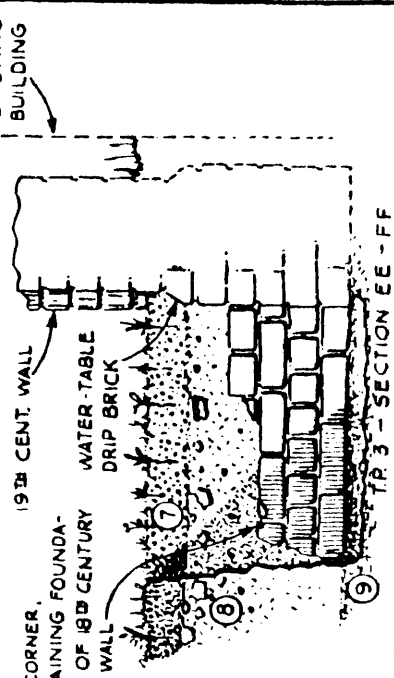
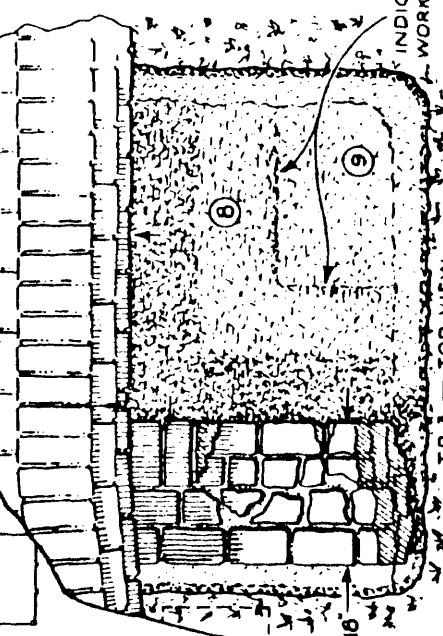


FIGURE 9 ST. JOHN'S CHURCH Hampton, Va.

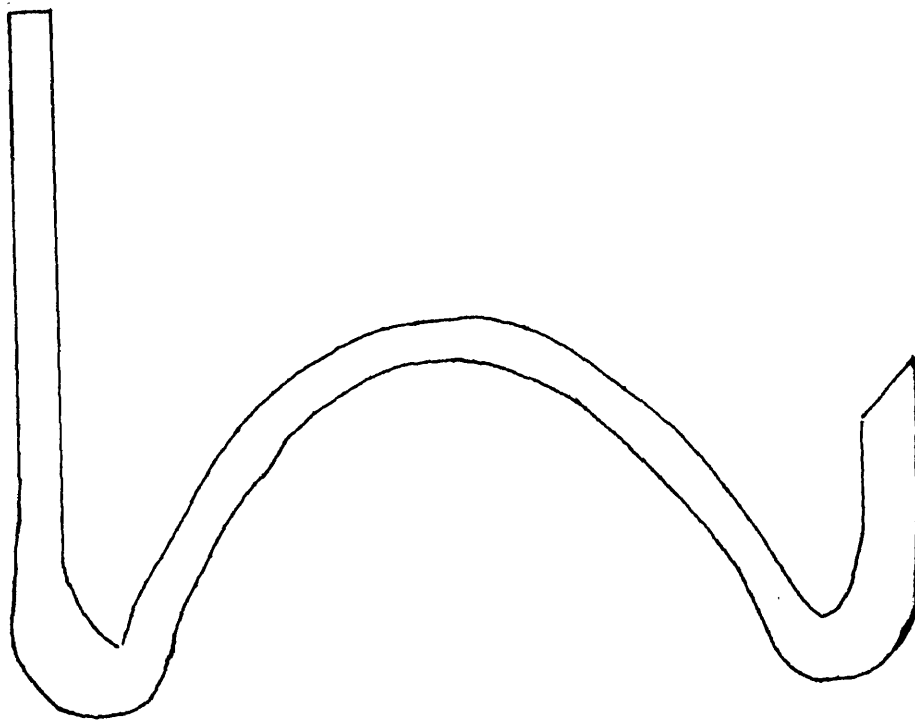


FIGURE 10 Profile of
WINE Bottle Base found in
T. P. 3, 1978-79

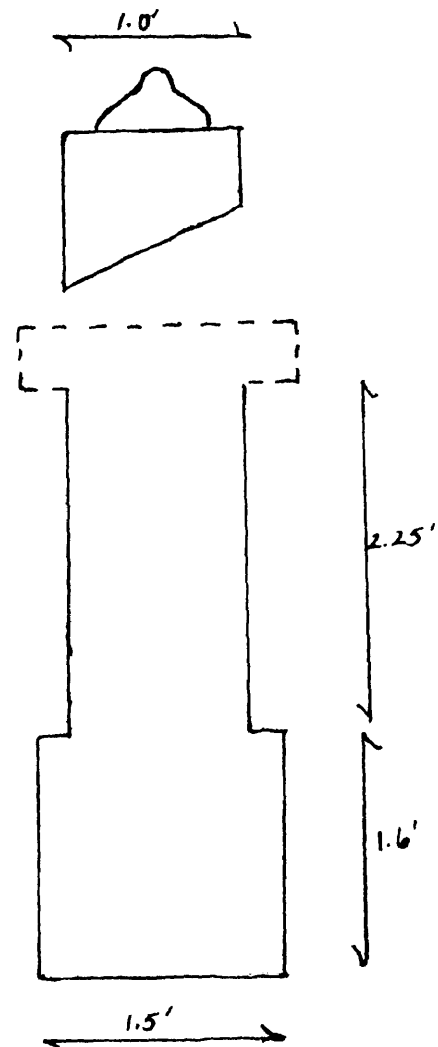


FIGURE 24 Profile of Elizabeth City
Parish's CHURCHYARD WALL of 1759
(conjectured drawing from archaeological
evidence)

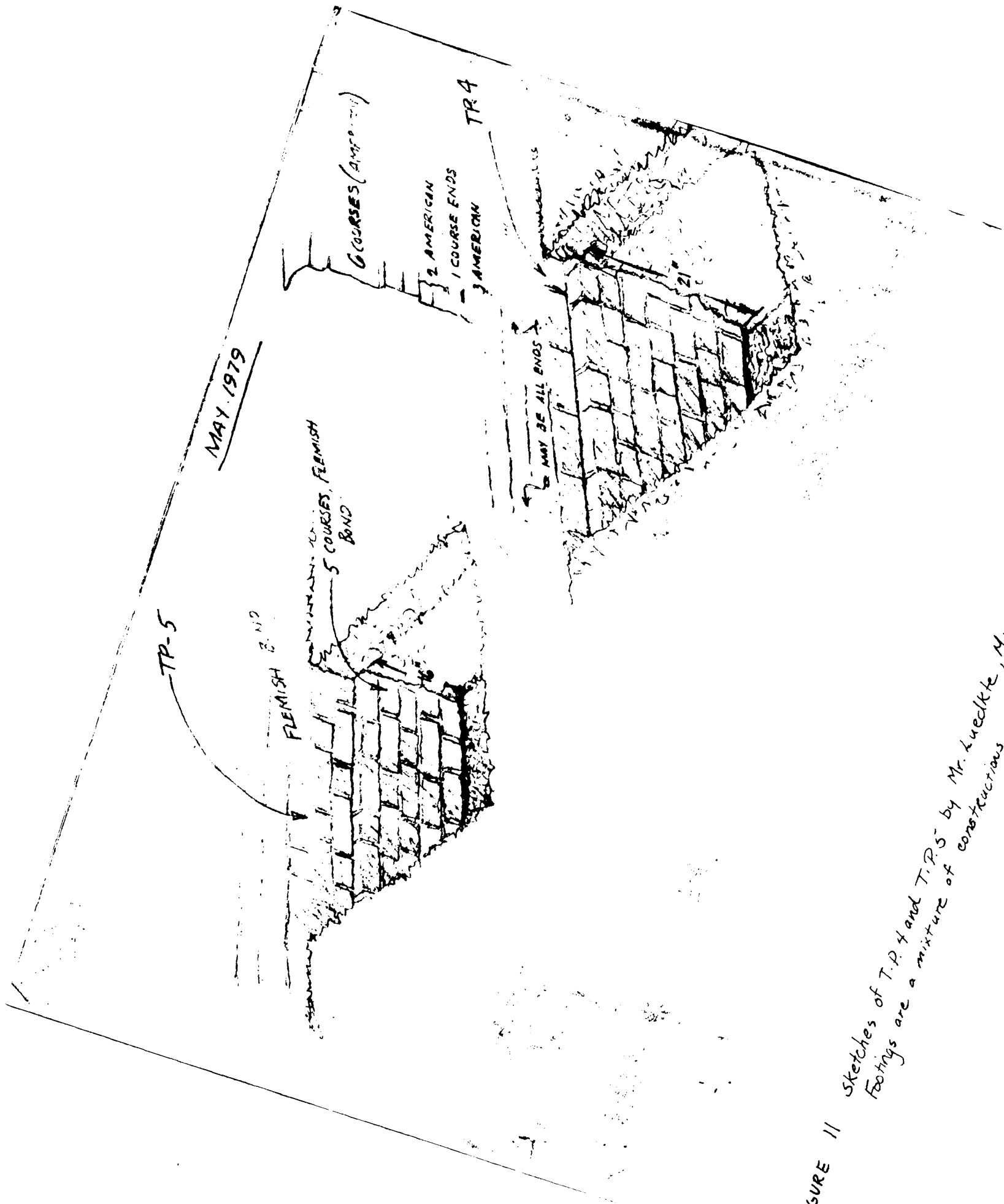
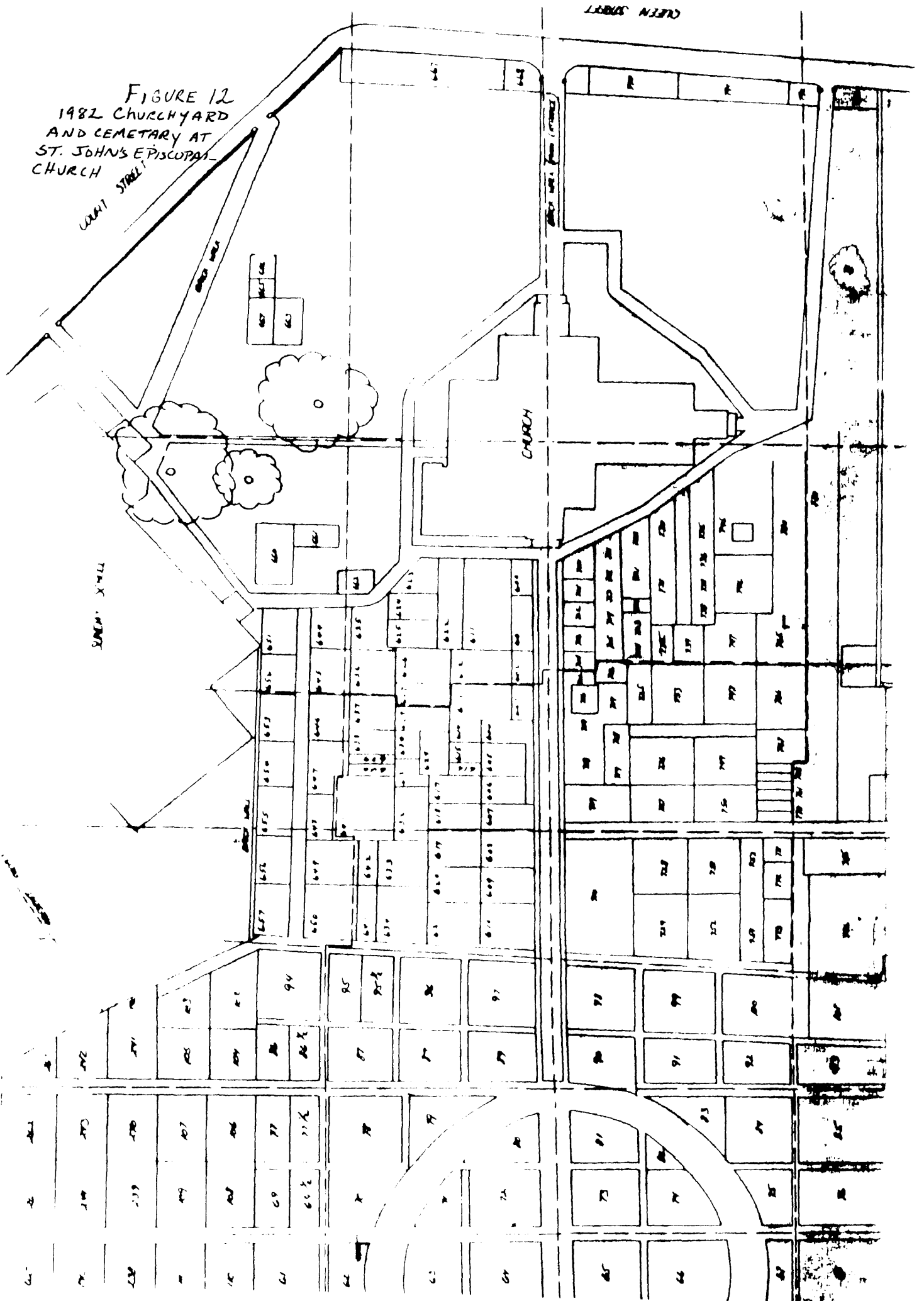


FIGURE 11 Sketches of T.P. 4 and T.P. 5 by Mr. Luedtke, May 1979. Footings are a mixture of constructions.

FIGURE 12
 1982 CHURCHYARD
 AND CEMETARY AT
 ST. JOHN'S EPISCOPAL
 CHURCH



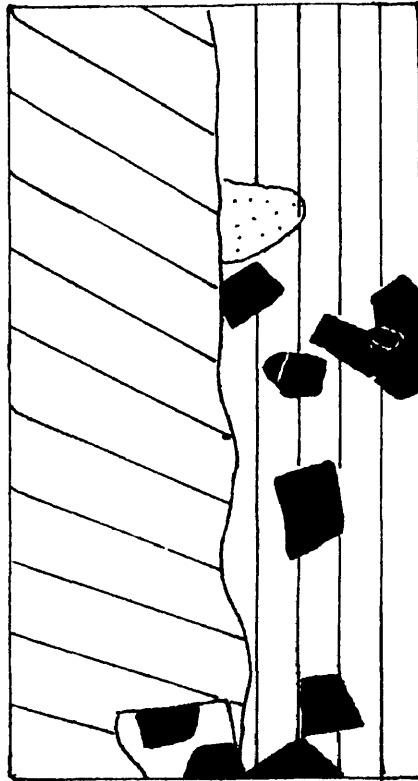


FIGURE 13 44HTS1/UNIT 1 - A PLAN

BRICK
 MORTAR
 44HTS1/1C DESTRUCTION FILL
 44HTS1/1D BULDER'S TRENCH
 44HTS1/1E ROOT STAIN

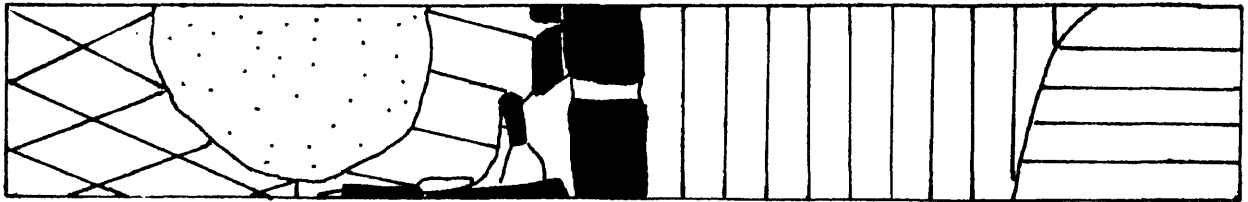
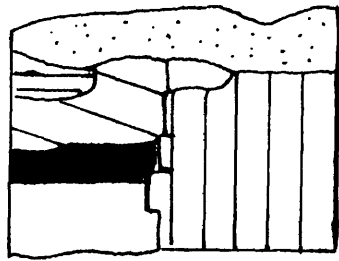


FIGURE 16 44HTS1/UNIT 2 - A PLAN

44HTS1/2F
 44HTS1/2C DESTRUCTION FILL
 44HTS1/2D BULDER'S TRENCH
 44HTS1/2E
 44HTS1/2G ROOT STAIN

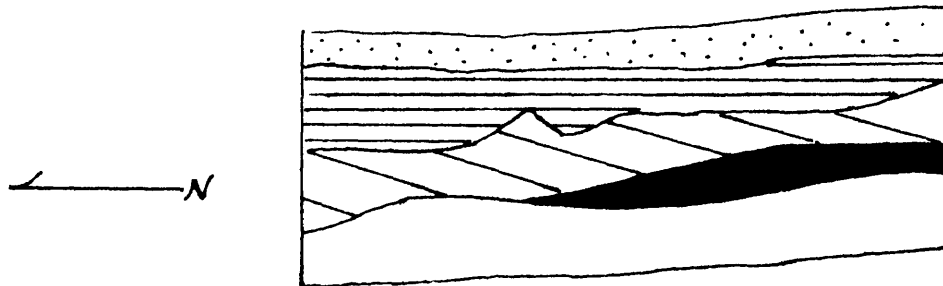
SCALE 1" = 1'
A. GARLAND



PROFILE OF SE-SW

W →

- 44HTSI/1A
- ▨ 44HTSI/1B
- ▩ 44HTSI/1D1
- 44HTSI/1D2
- 44HTSI/1D3
- ▨ 44HTSI/1C



SE-NE PROFILE

← N

FIGURE 14 44HTSI/UNIT 1 - PROFILES

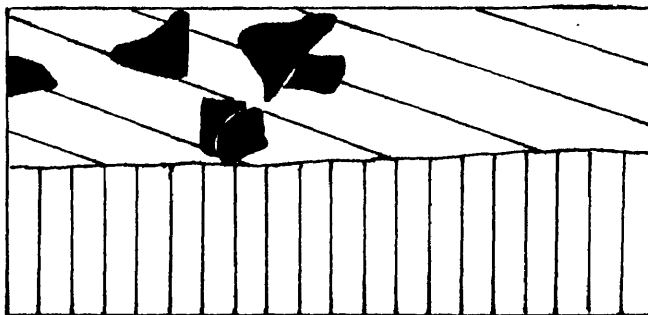


FIGURE 16a - PLAN OF 44HTSI/UNIT 1

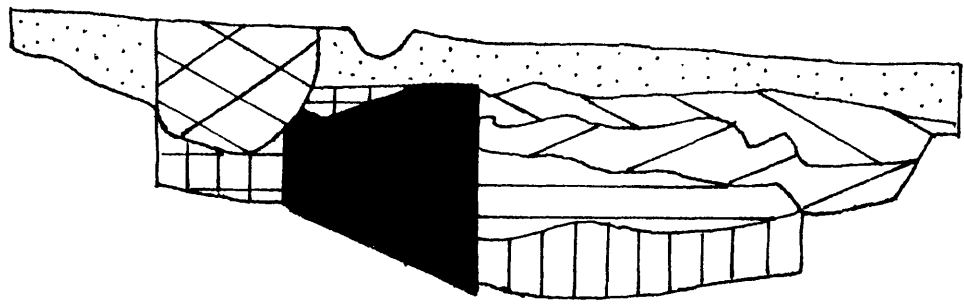
← N

- BRICK
- ▩ 44HTSI/1D1
- ▨ 44HTSI/1C1

SCALE .1" = 1.5'

A. GARLAND

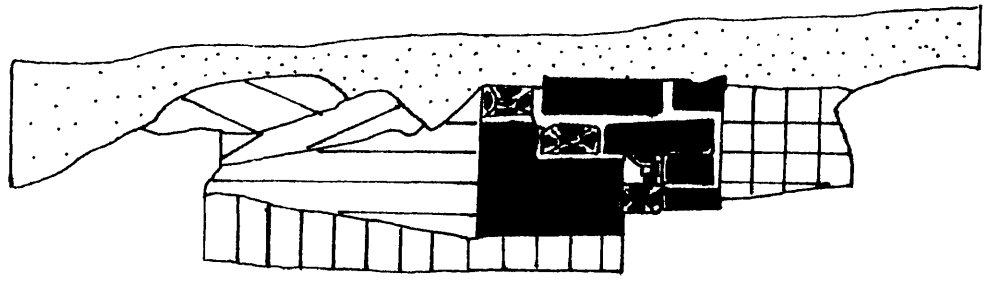
→ E



NW-NE PROFILE

- ▨ 44HTS1/2A
- BRICK
- ▨ 44HTS1/2B
- ▨ 44HTS1/2D1
- ▨ 44HTS1/2D2
- ▨ 44HTS1/2D3
- ▨ 44HTS1/2C1
- MORTAR
- ▨ 44HTS1/2G

→ W



SE-SW PROFILE

FIGURE 15 44HTS1/UNIT 2 - PROFILES

N →

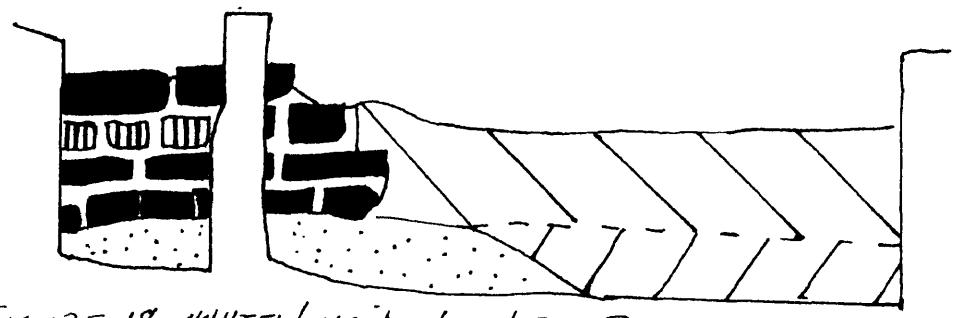


FIGURE 18 44HTS1/units 1 and 2 - PROFILES OF FOOTING

- ▨ 44HTS1/2C3 and 1C3
- BRICK
- MORTAR
- ▨ 44HTS1/1C1
- ▨ 44HTS1/1C2
- ▨ GLAZED BRICK

SCALE 1" = 1.5'
A. Garland

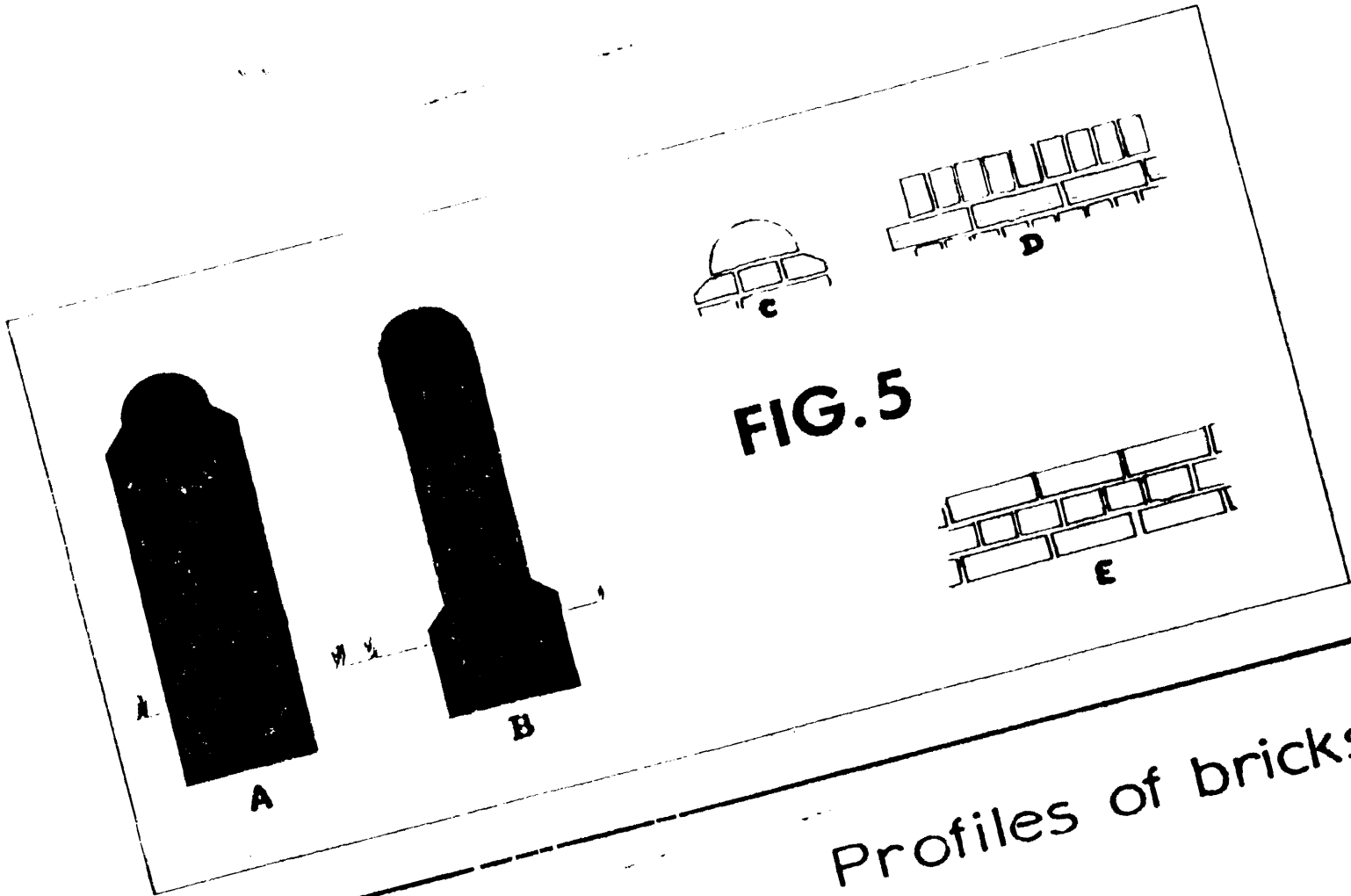


FIG. 5

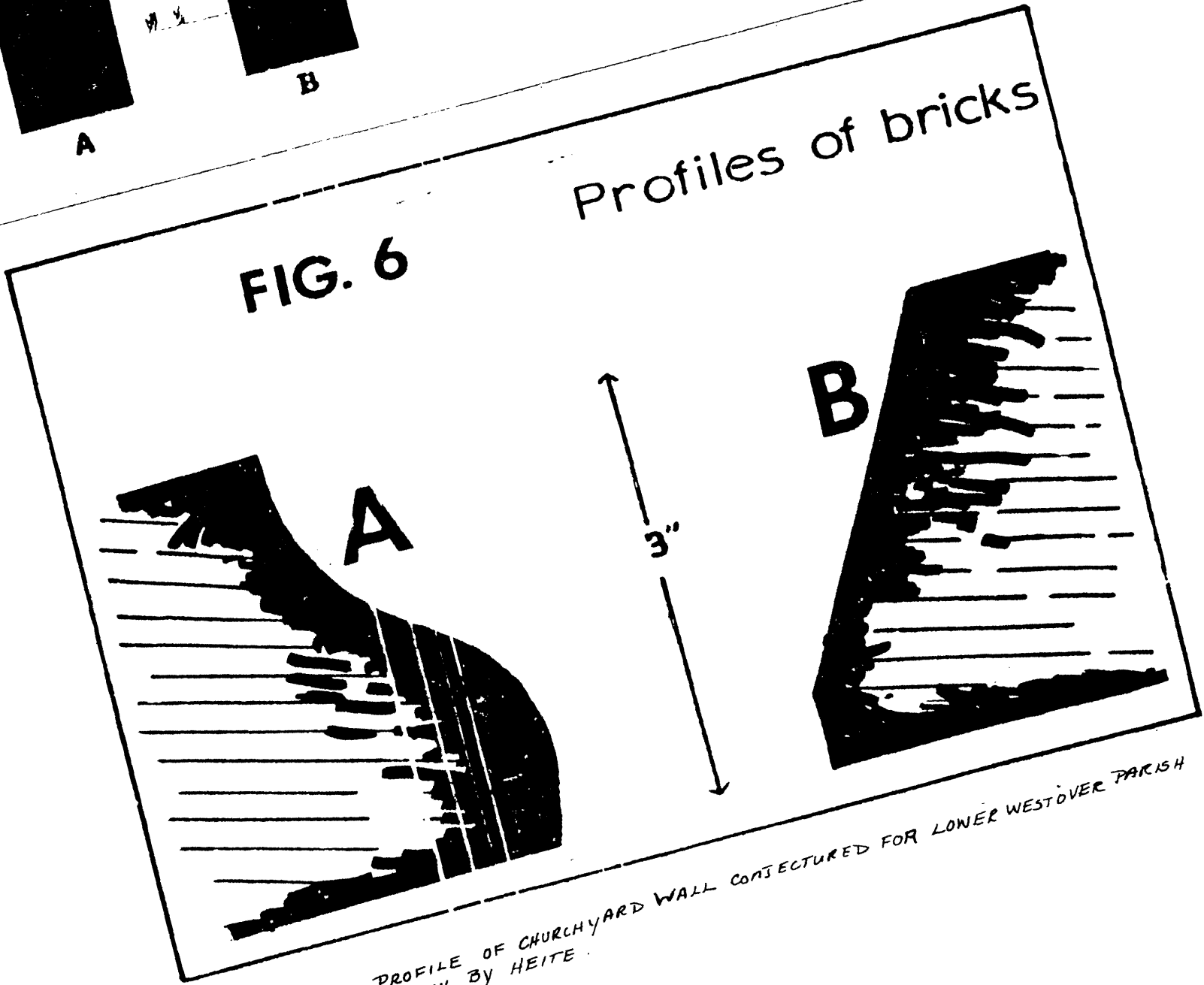
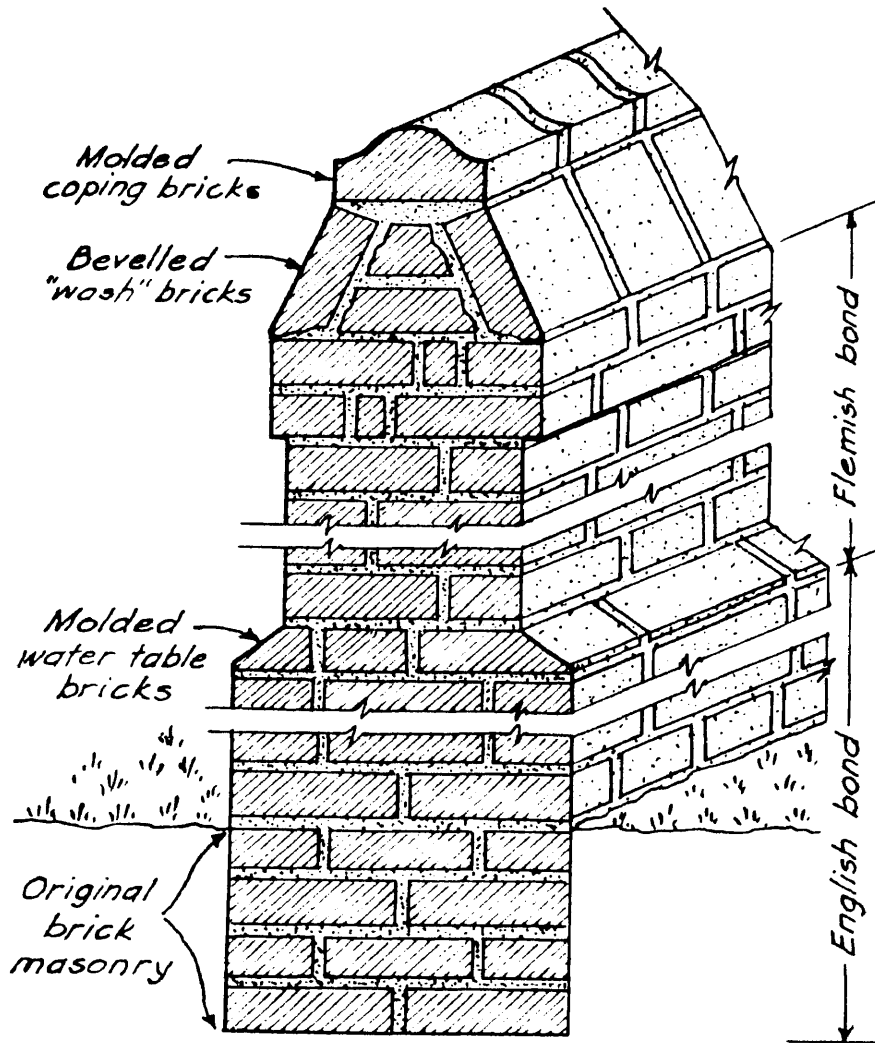


FIG. 6

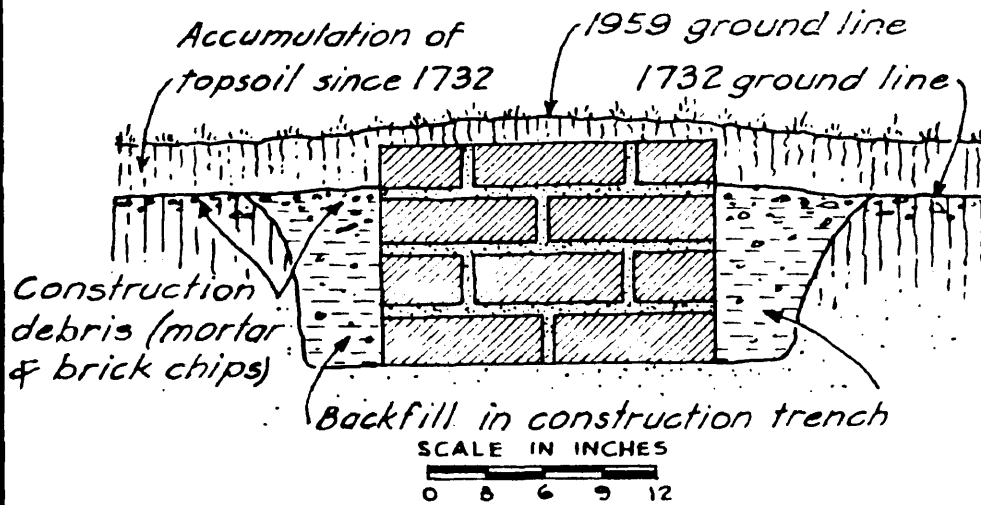
Profiles of bricks

FIGURE 17 PROFILE OF CHURCHYARD WALL CONJECTURED FOR LOWER WESTOVER PARISH CHURCH BY HEITE.



SCALE IN INCHES
0 3 6 9 12

Cross section through churchyard wall, as reconstructed in 1965.



Cross section through typical excavation trench at Christ Church.
(Harrington; APVA DISCOVERY)

- ▨ 44HT51/2C2
- BRICK
- MORTAR

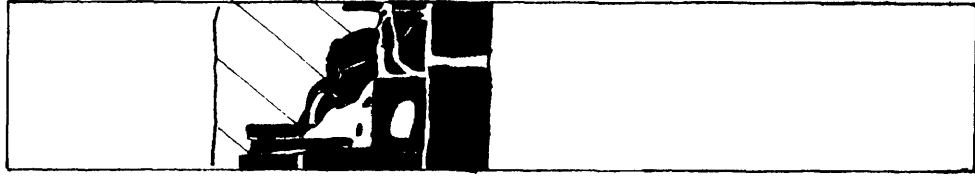


FIGURE 19 44HT51/UNIT 2 - A PLAN OF FOOTING



- ▨ 44HT51/3D
- ▨ 3D WITH BRICK FRAGS.
- ▨ 44HT51/3F TREE ROOTS
- ▨ POURED CONCRETE
- ▨ 44HT51/3K GRAVE
- ▨ UNEXCAVATED
- ▨ BUILDER'S TRENCH FOR CONCRETE
- COFFIN HANDLE
- SURVEY POINT
- NAILS
- - - OUTLINE OF EXCAVATION
- TRENCH
- BRICK
- MORTAR

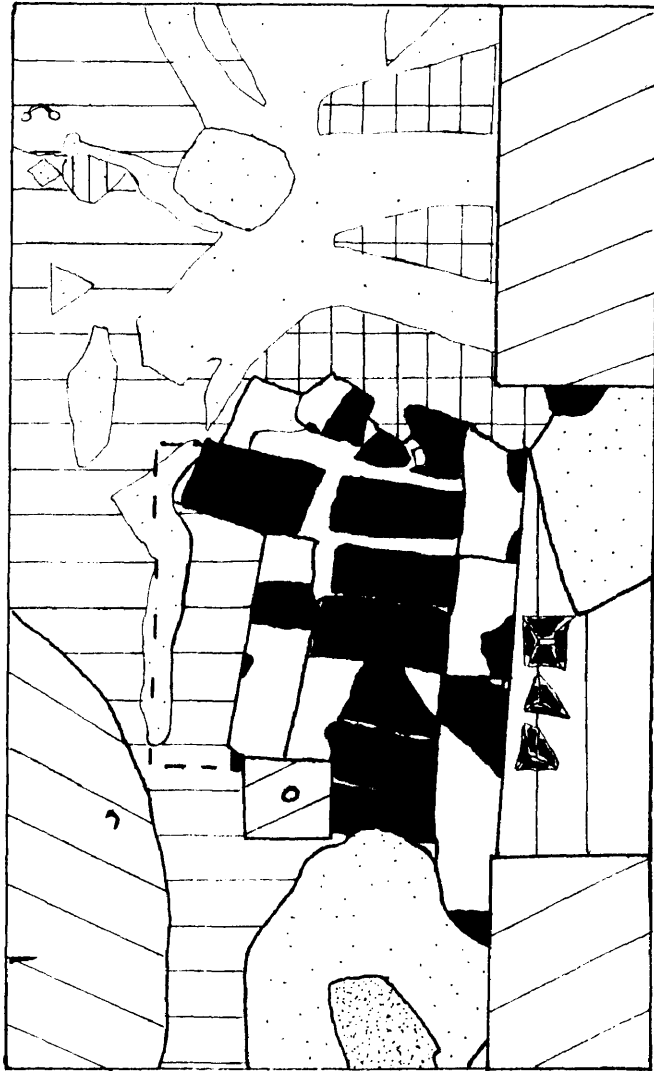
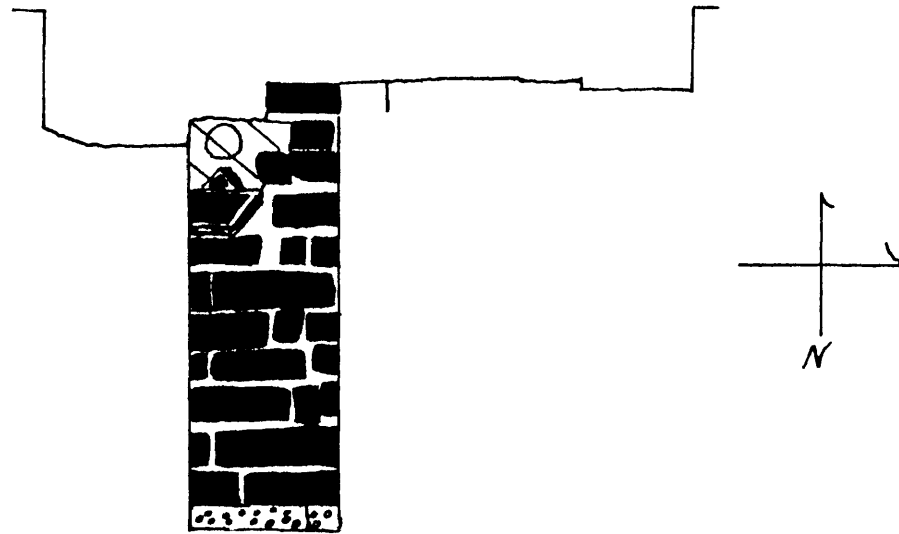













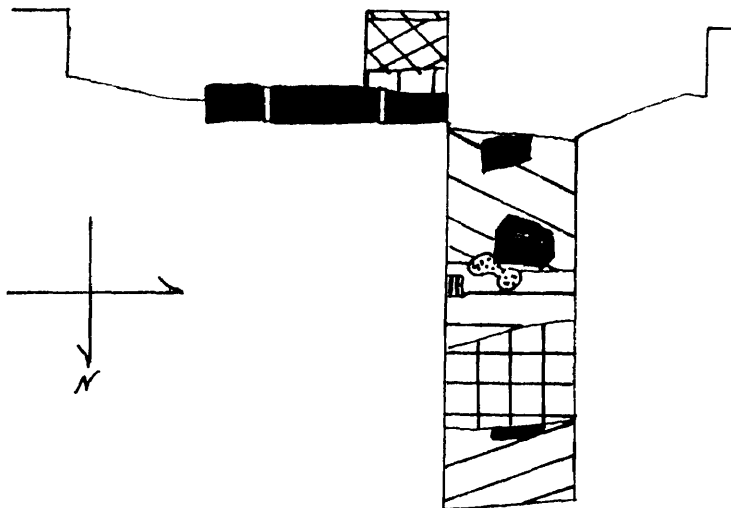
FIGURE 20 44HT51/UNIT 3 - A PLAN OF NE CORNER

SCALE 1" = 1.5'
A. GARLAND



NW-NE PROFILE OF 44HTS1/3C

- | | |
|--|---|
|  BRICK |  BONE |
|  MORTAR |  SUBSOIL |
|  44HTS1/3F ROOT/HUMUS |  44HTS1/3J |
|  44HTS1/3A | |
|  44HTS1/3B | |
|  44HTS1/3E2 | |
|  44HTS1/3E3 | |
|  44HTS1/3E4 | |



SE-SW PROFILE OF 44HTS1/3E

FIGURE 21 44HTS1/UNIT3 - PROFILES OF NE CORNER PIER OF BRICK AND THE ADJOINING BUILDER'S TRENCH

SCALE 1" = 1.5'
A. GARLAND

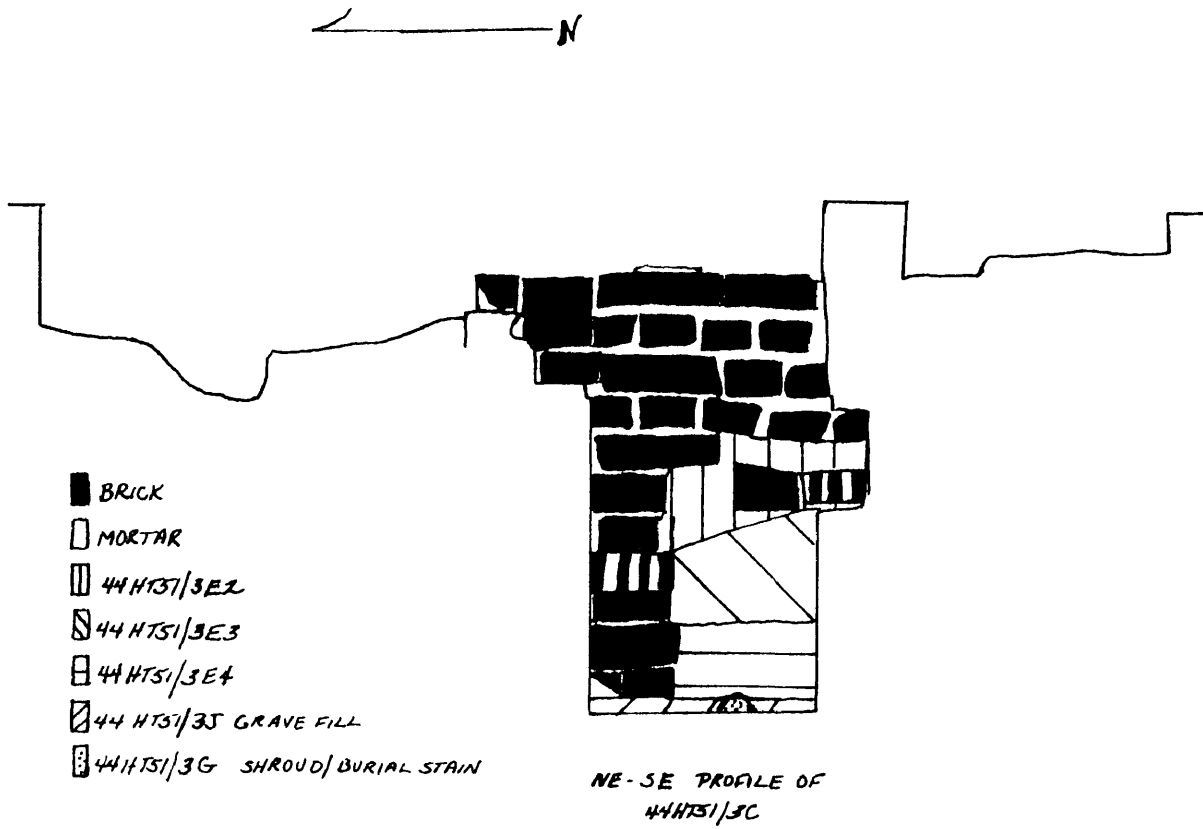
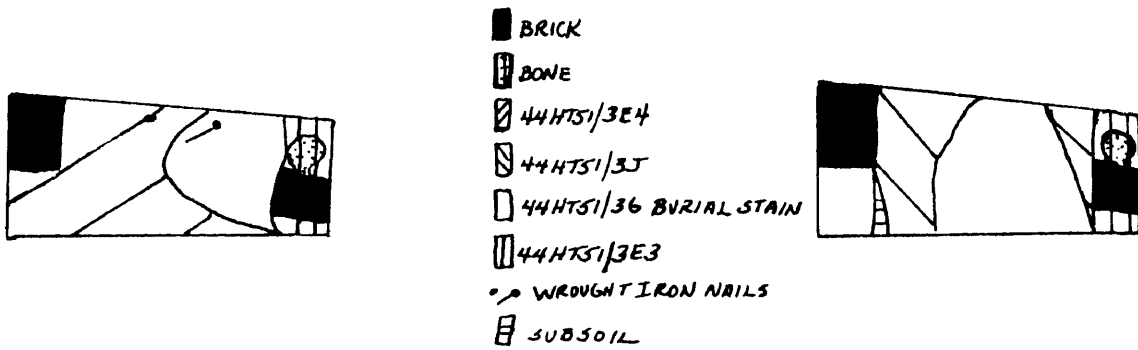


FIGURE 22 44HTSI/UNIT3 - PROFILE OF FOOTING IN NE CORNER



SCALE 1' = 1.5'
A. GARLAND

FIGURE 23 44HTSI/UNIT3 - A PLAN OF BURIAL
AT BOTTOM OF BUILDER'S TRENCH IN NE CORNER



Figure 44. Map of Towns Founded in Virginia in 1680, 1690, and 1706

FIGURE 25 (Reps'; TIDEWATER TOWNS)

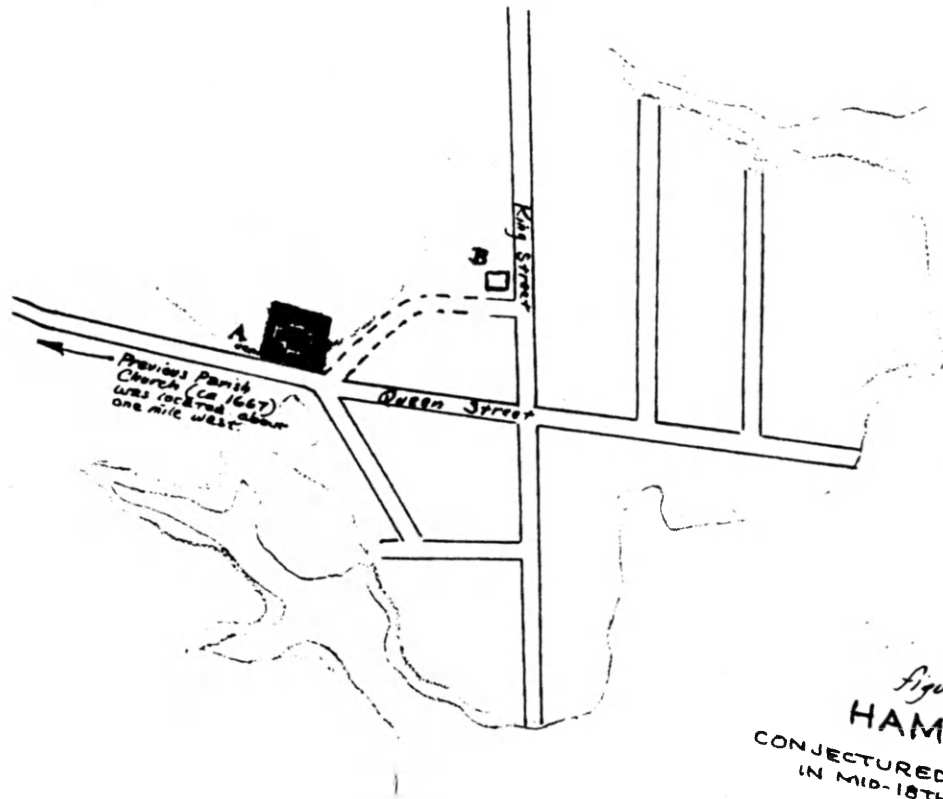


Figure 27
HAMPTON
 CONJECTURED STREET PLAN
 IN MID-18TH CENTURY

A: Elizabeth City Parish Church (1720)
 B: Court House (1715)
 (courtesy of Richard Cawthon)

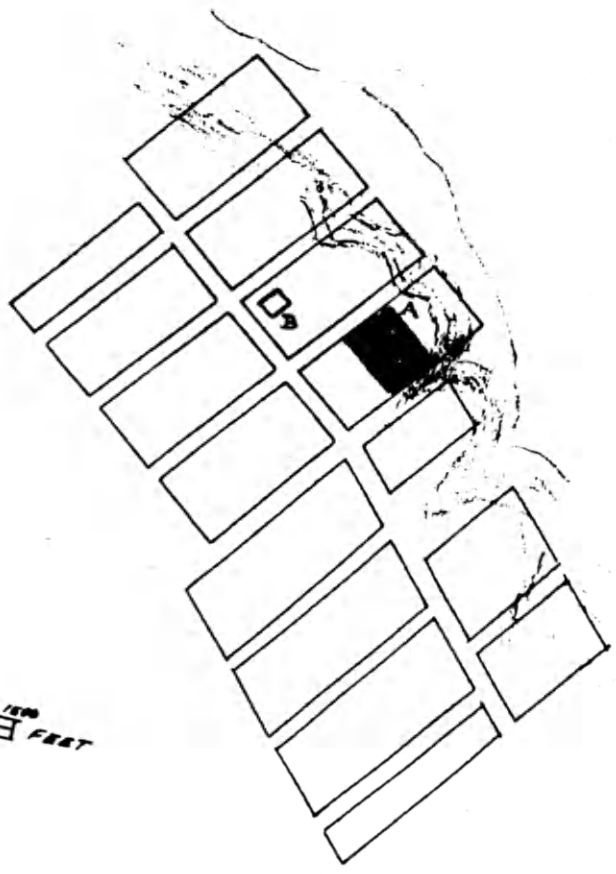


Figure 28
YORKTOWN
 1691 STREET PLAN

A: York Parish Church (ca 1697)
 B: Court House (ca 1697)
 (courtesy of Richard Cawthon)

Scale approximately 1:8000
 500 1000 1500 FEET





Pictures of the Elizabeth City Parish Church soon after 1901 from the south; Part of the east wall is visible.

Plate I



Plate 1a Pictures of the Elizabeth City Parish Church soon after 1901 from the south; Part of the east wall is visible.



Plate 2 Picture of the open area after east wall has been removed in 1924. The line of dirt where the 1759 wall had been is visible in the new yard. The view is from the south.

Parish House, St. John's Church.
HAMPTON, Va.



Plate 3

Picture of the Parish Hall built in 1889 with a break in the eastern wall around the churchyard, prior to wall's demise in 1924



Plate 4

Picture of the remaining east wall along the parish buildings



Plate 5

Picture of the west wall in 1982 as it continues down to Queen Street; The wall below the string course is original Flemish bond

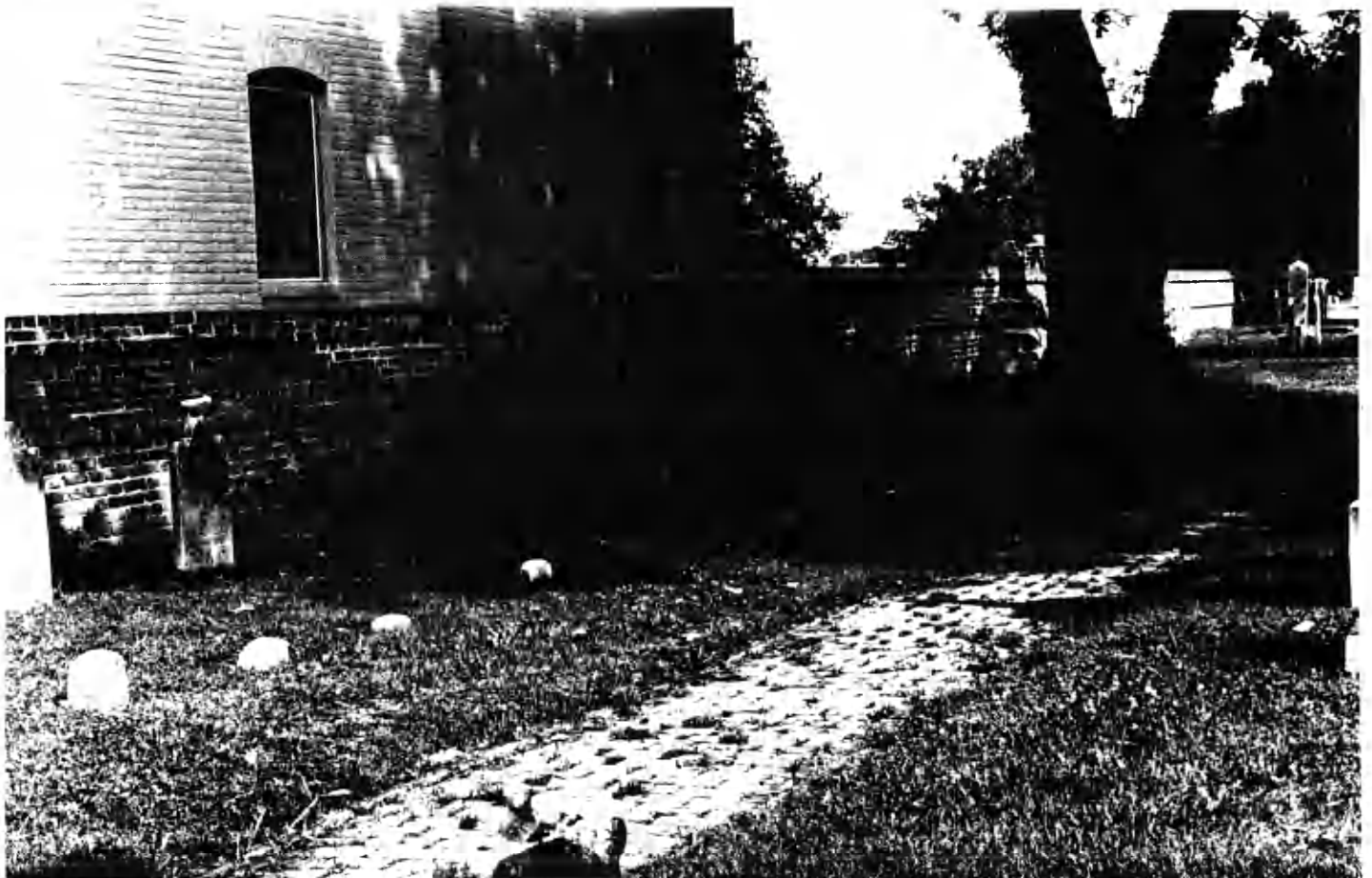


Plate 5a

Picture of the west wall in 1982 as it continues northward from Queen Street



Plate 5b Portion of the west wall soon after 1892 and before 1901. Also, the iron fence on the south has been put up (1892).

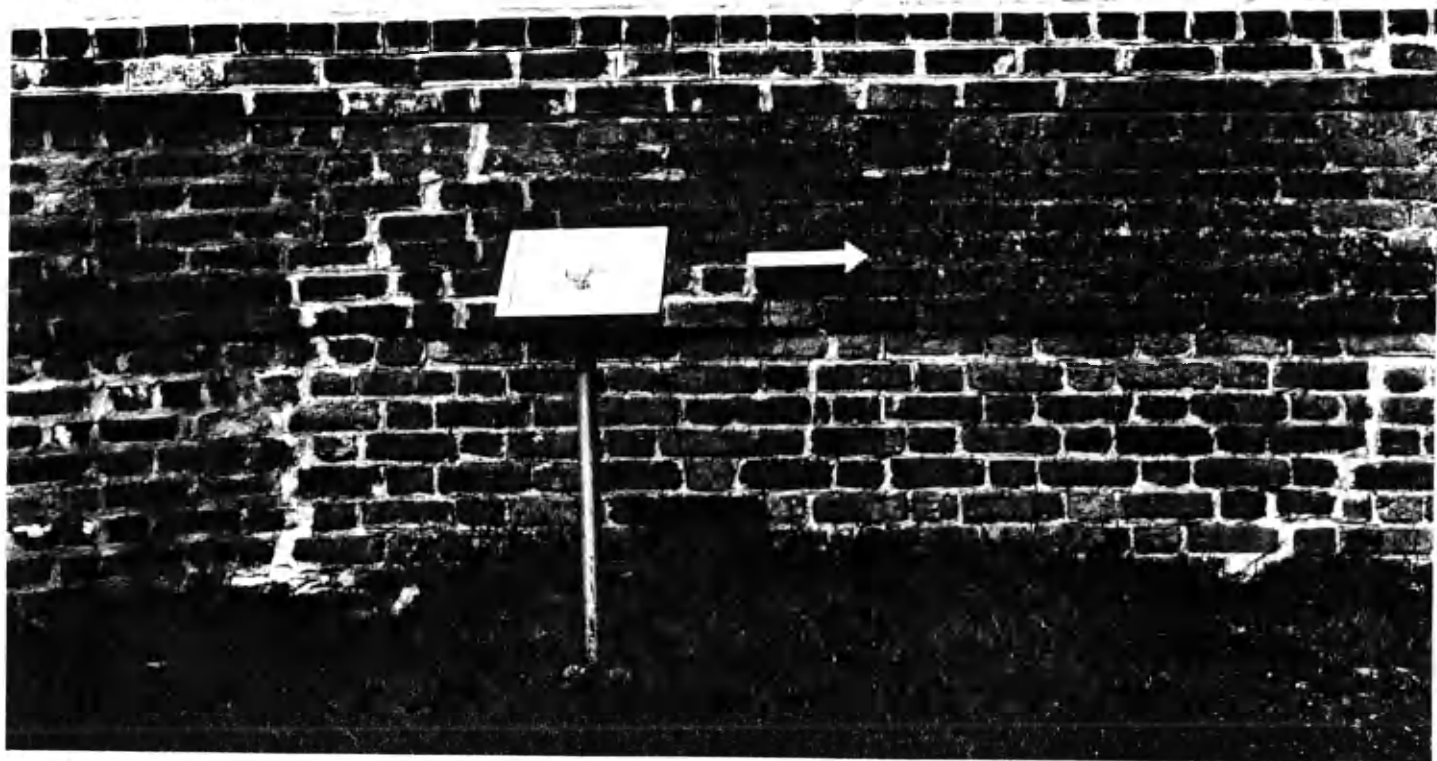


Plate 5c Section of the west wall showing the original Flemish bond beneath the string course



Plate 6 Picture of the iron fence along the south side of the churchyard around 1892



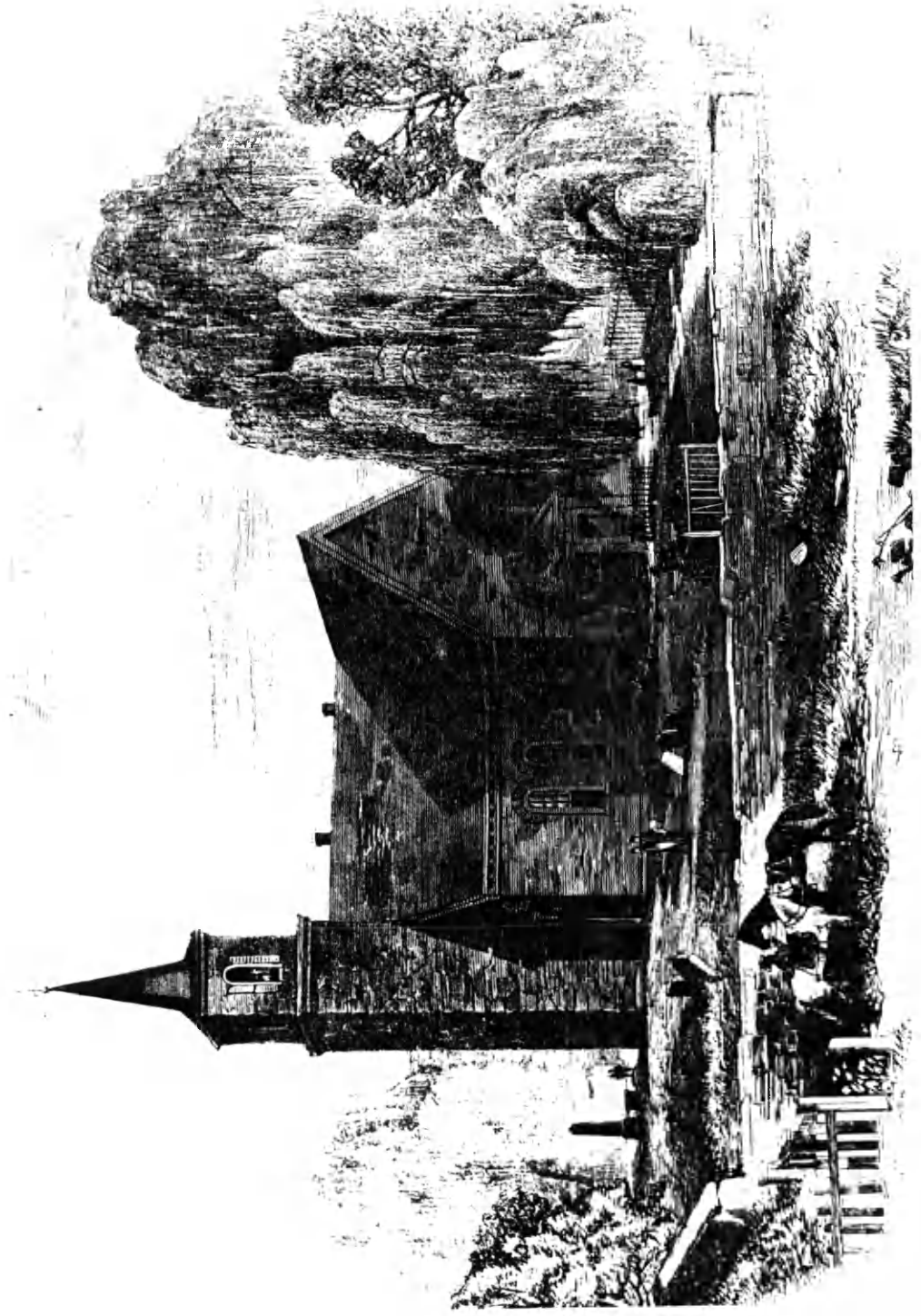
Plate 7 The wooden fence along the south side of the churchyard that borders Queen Street; The church has been reconstructed after the Civil War (1869).



FEDERAL TROOPS AT HAMPTON, VIRGINIA.—SCENE AS APPEARED AT THE OFFICE OF THE TERRITORIAL ENGINEER.—(See Page 384.)

The brick wall along the south side of the church during the Civil War; The drawing was done by a topographical engineer for Harper's Weekly in 1862. It shows the burned town occupied with Federal troops. The Hamptonians burned their town in August 1861.

Plate 8



Drawing of 1728 church with steeple, three months prior to the burning of Hampton; Sketch was by a union artist for Leslie's Magazine.

Plate 9

Sketch of the burned out church during the Civil War showing the remains of a brick wall around the churchyard; This drawing appeared in Harper's Weekly in July, 1862, a year after the drawing made for Leslie's.



THE OLD CHURCH AT HAMPTON, VIRGINIA.

We give on this page a picture which shows in the foreground the Old Church at Hampton—the oldest in the United States, which was built of bricks brought over from England in the reign of Queen Elizabeth. Hampton used to be a delightful place of residence, especially in summer. Ruin and the savage destructiveness of the

rebels have now left it desolate, and many a year will revolve before it recovers its ancient aspect of quiet happiness and repose.

BRIGADIER-GENERAL GEORGE F. SHEPLEY.

GENERAL SHEPLEY, whose portrait we give on page 453, is the son of ex-Chief-Justice Shepley.

THE OLD HAMPTON CHURCH, AT HAMPTON, VIRGINIA.

of Maine, the most eminent jurist of that State. He was born at Saco, and is now forty-two years of age. Was a graduate of Dartmouth, of the law school of Cambridge, and further perfected his studies in the office of Judge Howard of Portland.

He commenced the practice of his profession in the city of Bangor at the age of twenty-one, and almost immediately entered upon a large practice, and was engaged as counsel in some of the most important cases in the Supreme Court of the State.

A few years afterward he removed to Portland, continuing there the practice of his profession, in which he has been devotedly attached, and from which he has never allowed himself to be diverted for any length of time by any allurement of political or official position. Near the close of President Polk's term, though then a very young lawyer, he received the responsible office of United States District Attorney, which position he held to the close of Mr. Buchanan's Administration.



ST. JOHN'S CHURCH. THE STEEPLE WAS STRUCK BY LIGHTNING. 1843

Plate II

A drawing of the church and churchyard, wall made of brick, in 1843 from the south; The steeple however, was not struck by lightning in 1843.



Plate 13

Photograph taken in April, 1963, of the west wall of the churchyard showing the nineteenth century hemispherical capping bricks; Most of the wall was torn down in the early 1970's and replaced with new brick.

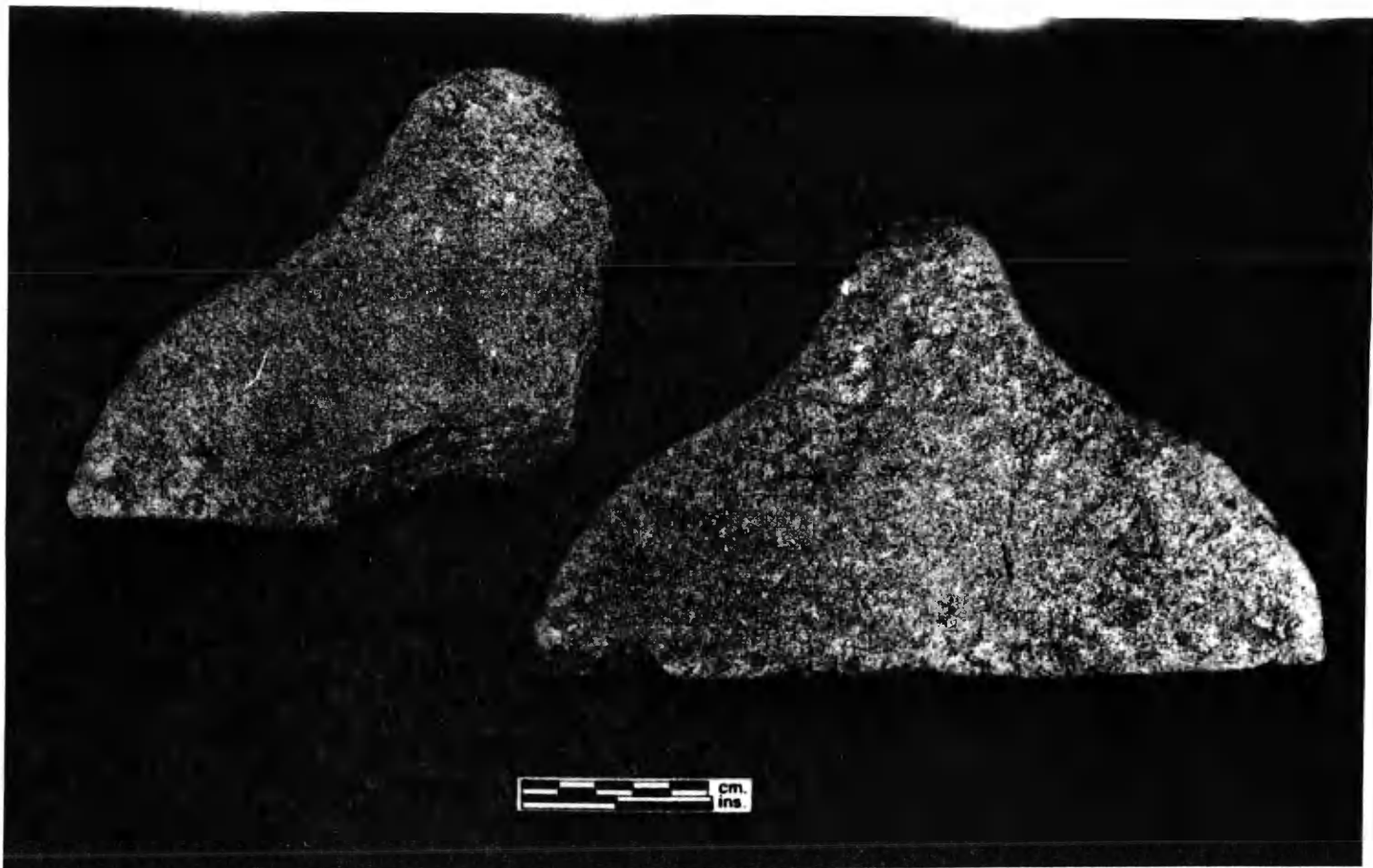
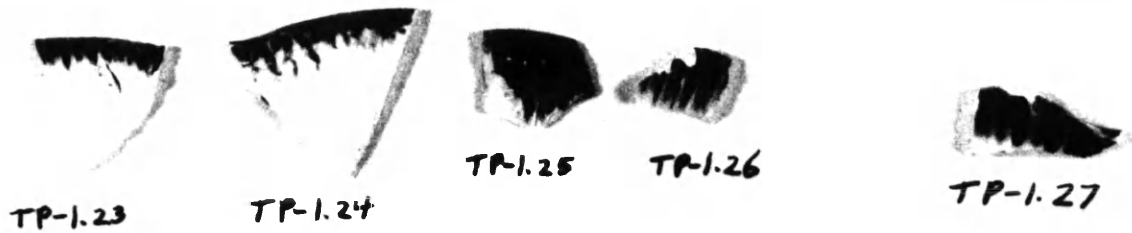


Plate 14

Colonial capping bricks from the builders trench along the footing of the 1759 churchyard wall

From excavation of west churchyard wall (below ground level), St. John's Church, Expton, January 27, 1979. Test Pit 1, 4" to 12" depth.

Depth:
Surface to 16"



English blue-edged pearlware,
ca. 1800-1830.

English green-edged
pearlware, ca. 1800-
1830.

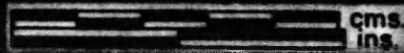
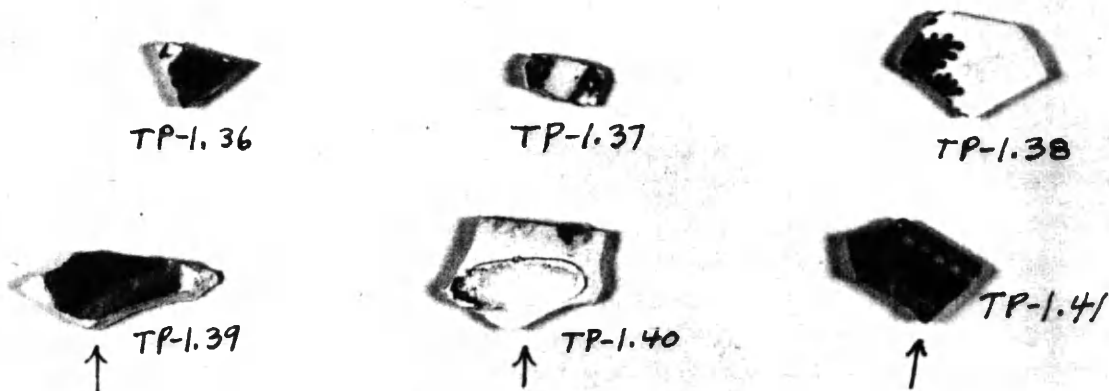


Plate 15

Photographs of the artifacts recovered from pits dug along the standing west wall from 1978 to 1979; They are all predominantly of late eighteenth and early nineteenth century manufacture.

Excavated at St. John's churchyard - west brick wall footing, January 27, 1979. Test Pit 1, surface of soil to 16" depth.



English transfer-printed pearlware, blue on white, ca. 1800-1840.

← Chinese export porcelain,
late 18th or early 19th century.

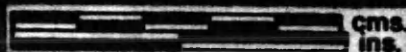
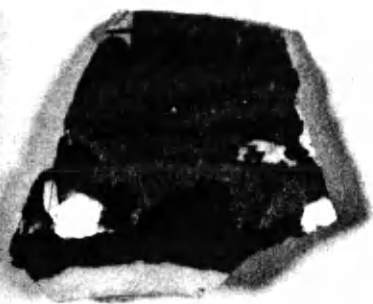


Plate 15a

Photographs of the artifacts recovered from pits dug along the standing west wall from 1978 to 1979; They are all predominantly of late eighteenth and early nineteenth century manufacture.

Artifacts found at St. John's churchyard site, west brick churchwall footing,
November 11, 1978; TEST PIT 1.



TP-1.16.
Shards (2) from an English
transfer-printed bowl, probably
early 19th century. 12-16"
depth.



TP-1.17



TP-1.18

Two shards of English
brenware, late 18th
or early 19th century.
10-14" depth.



TP-1.19

Small shard from
English blue feather-edged
plate rim. Late 18th or
early 19th century.

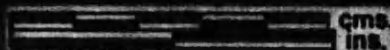
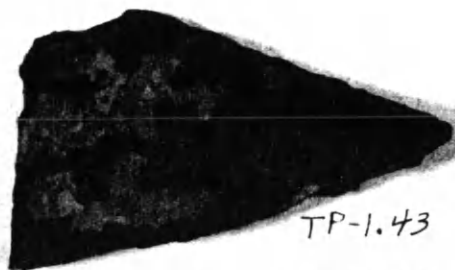


Plate 15b

Photographs of the artifacts recovered from pits dug along the
standing west wall from 1978 to 1979; They are all predominantly
of late eighteenth and early nineteenth century manufacture.

Excavation at St. John's Church, Hampton, January 27, 1979. West churchyard wall.
Surface to 16" depth.



TP-1.43



TP-1.44

LEAD-GLAZED EARTHENWARE SHARDS, probably
local made. Late 18th or early 19th century.

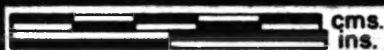


Plate 15c

Depicts a bone hair brush which came from Test Pit 2, 0" - 10"
below the ground surface

GLASS fragments excavated at St. John's churchyard site (west wall), January 27, 1979; 6 in. to 16 in. depth. *Test Pit I. Hampton.*



From a hand-blown 19th century medicine bottle, blown in a mold. *English or American. TP-1.45.*



TP-1.46.
From a late 18th century medicine bottle; machine made. *Probably American.*



TP-1.47.

Small fragment from a glass window pane; probably late 19th century. *Probably American.*



TP-1.50



TP-1.48.



TP-1.49.

3 fragments from a 18th-century bottle or jar; appears to have been octagonal shape. Probably late 18th century.

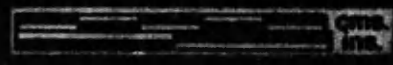
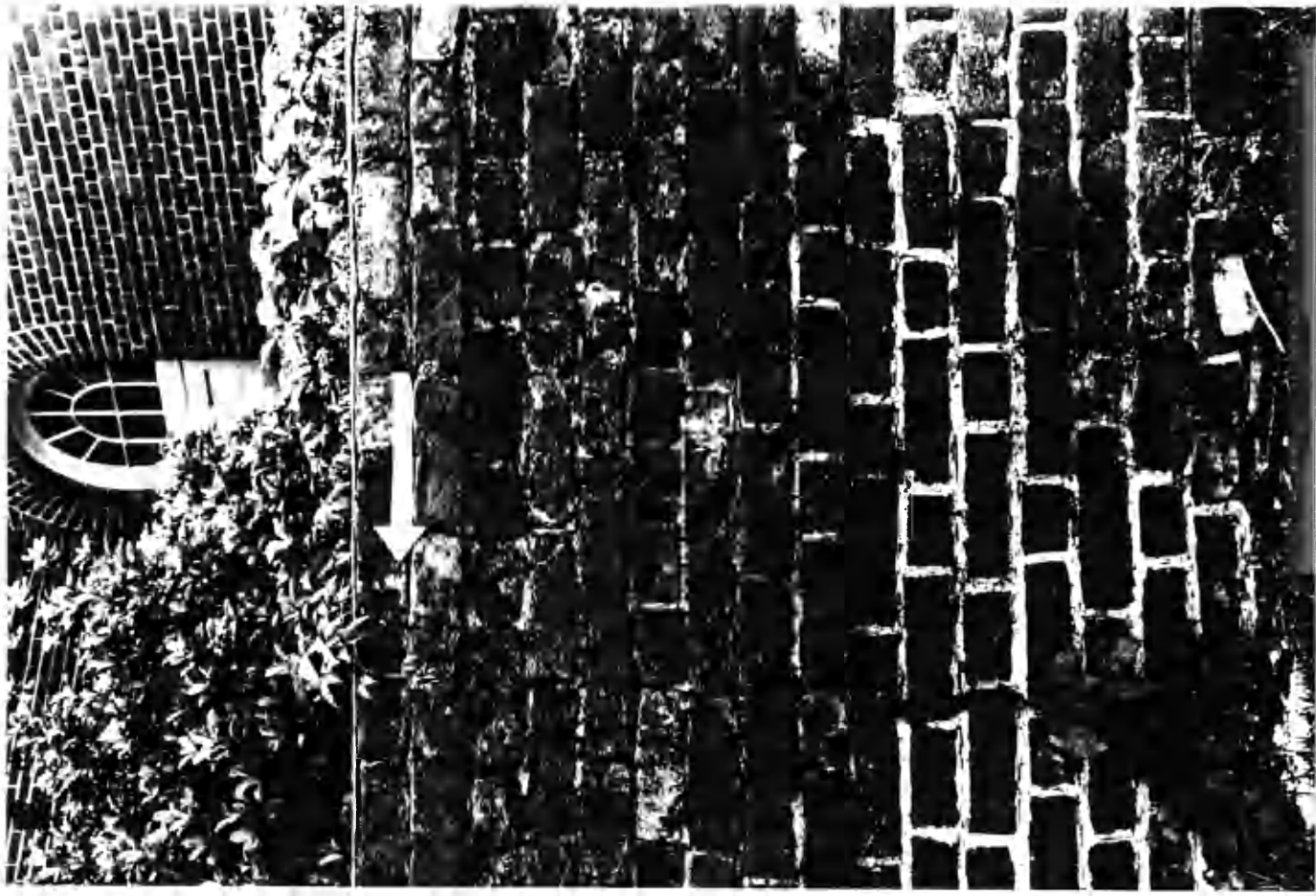


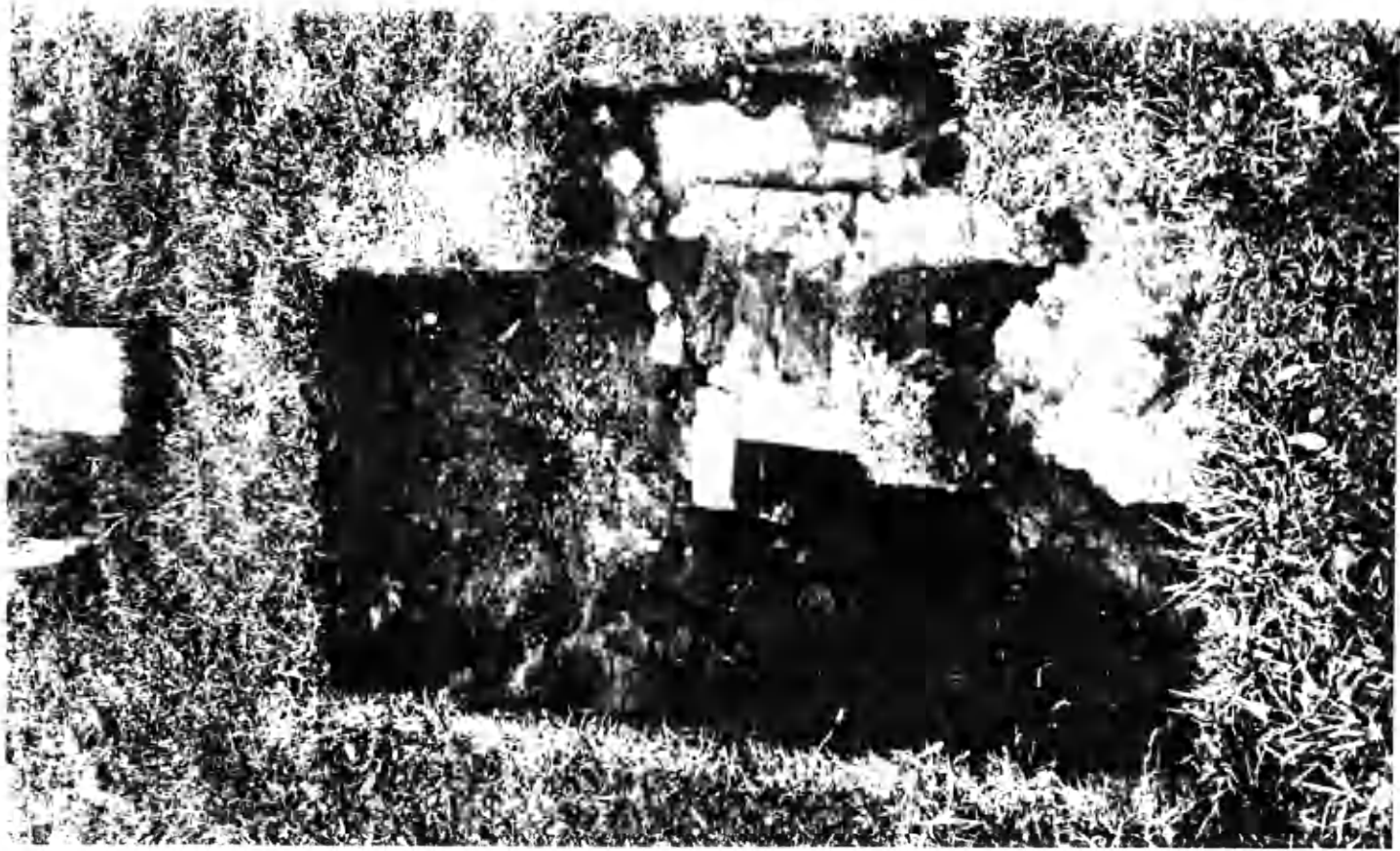
Plate 15d

Photographs of the artifacts recovered from pits dug along the standing west wall from 1978 to 1979; They are all predominantly of late eighteenth and early nineteenth century manufacture.



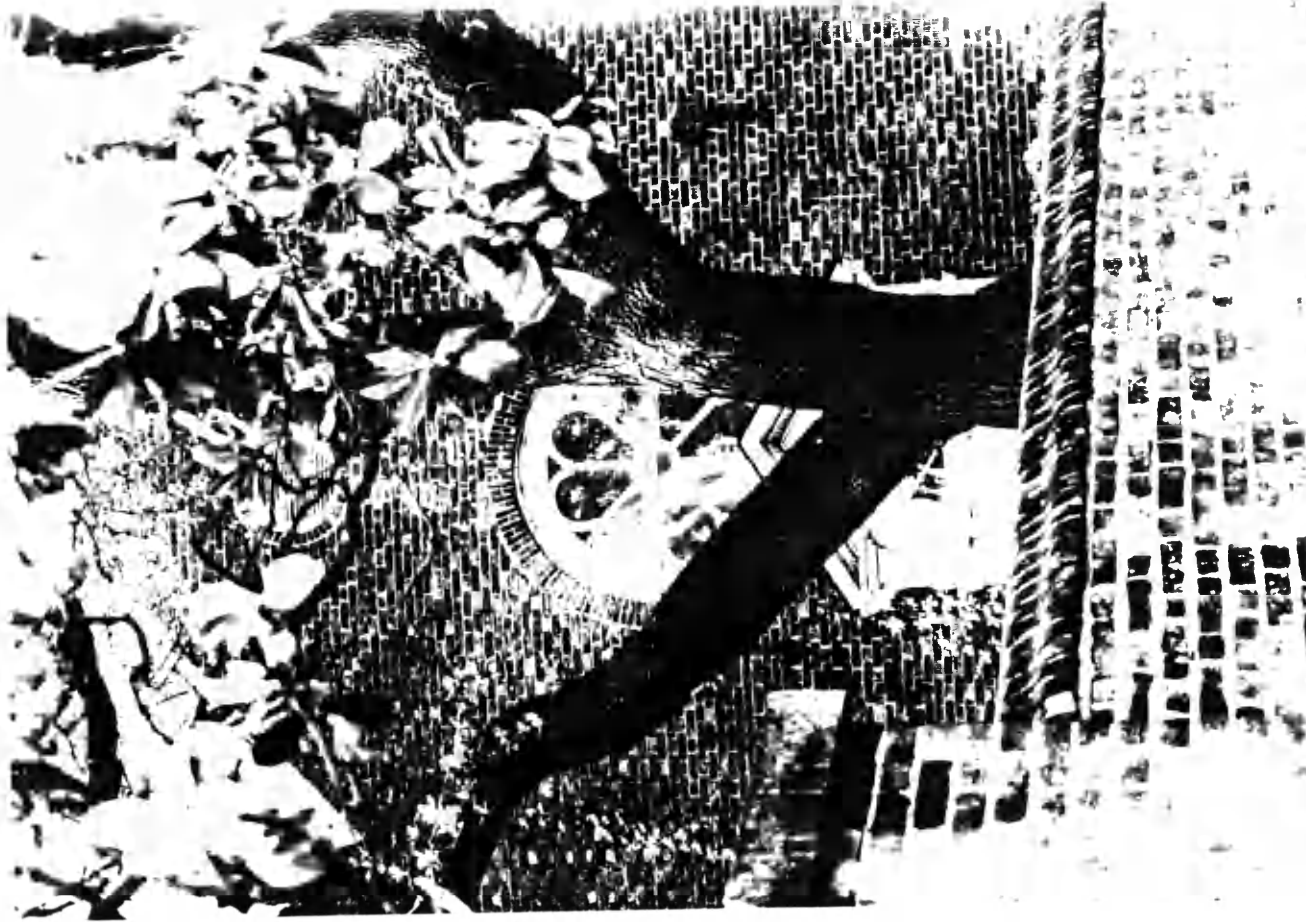
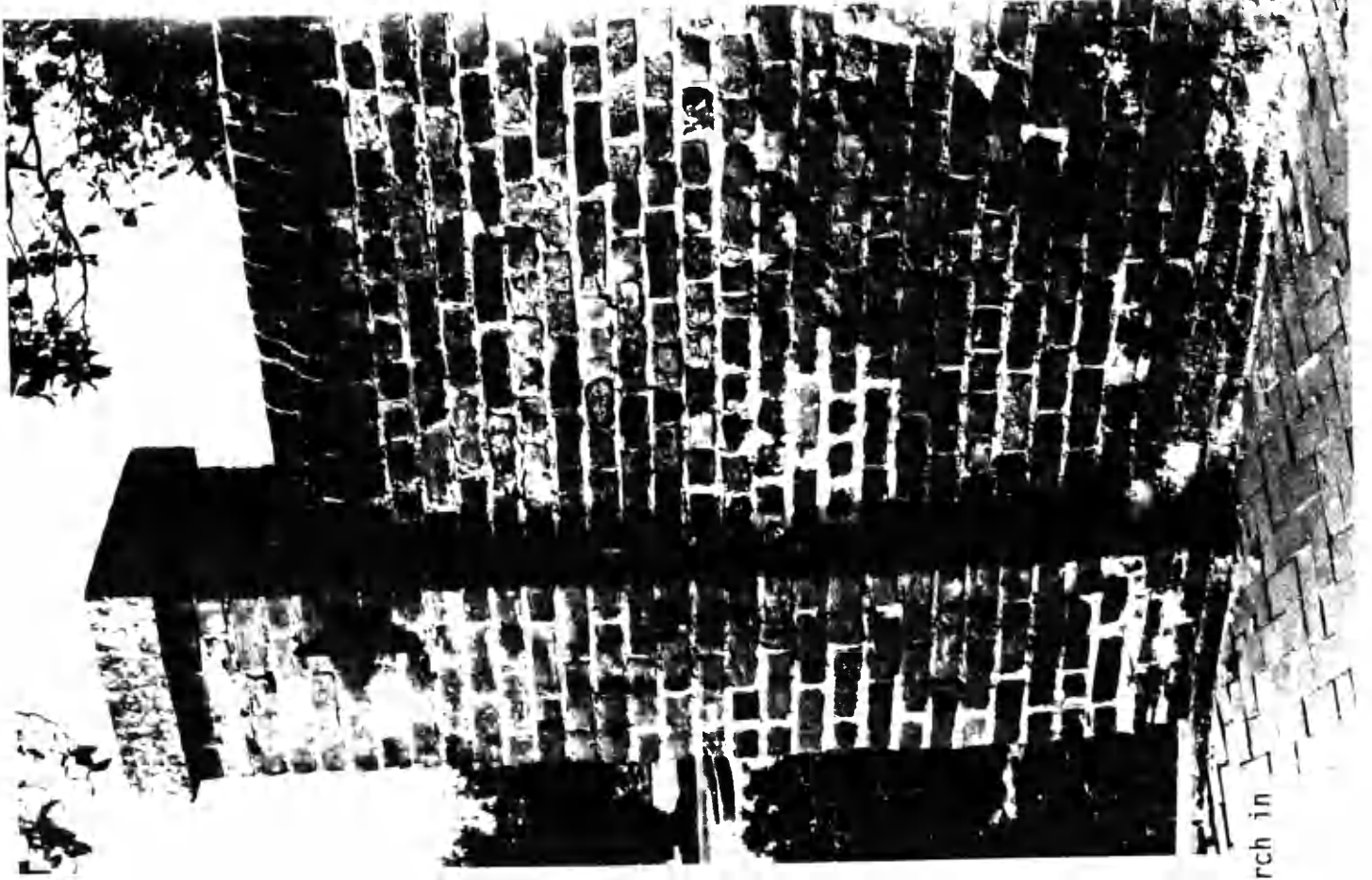
A portion of the east wall demonstrating the many repairs.

Plate 16



Overall of 44HT51/3C after excavation within the NE corner

Plate 22



The capping bricks on the churchyard wall of St. Paul's Church in Norfolk (Borough Church) as they are in 1982; The shape is similar to the colonial cap found in the footing trench at Elizabeth City Parish Church.

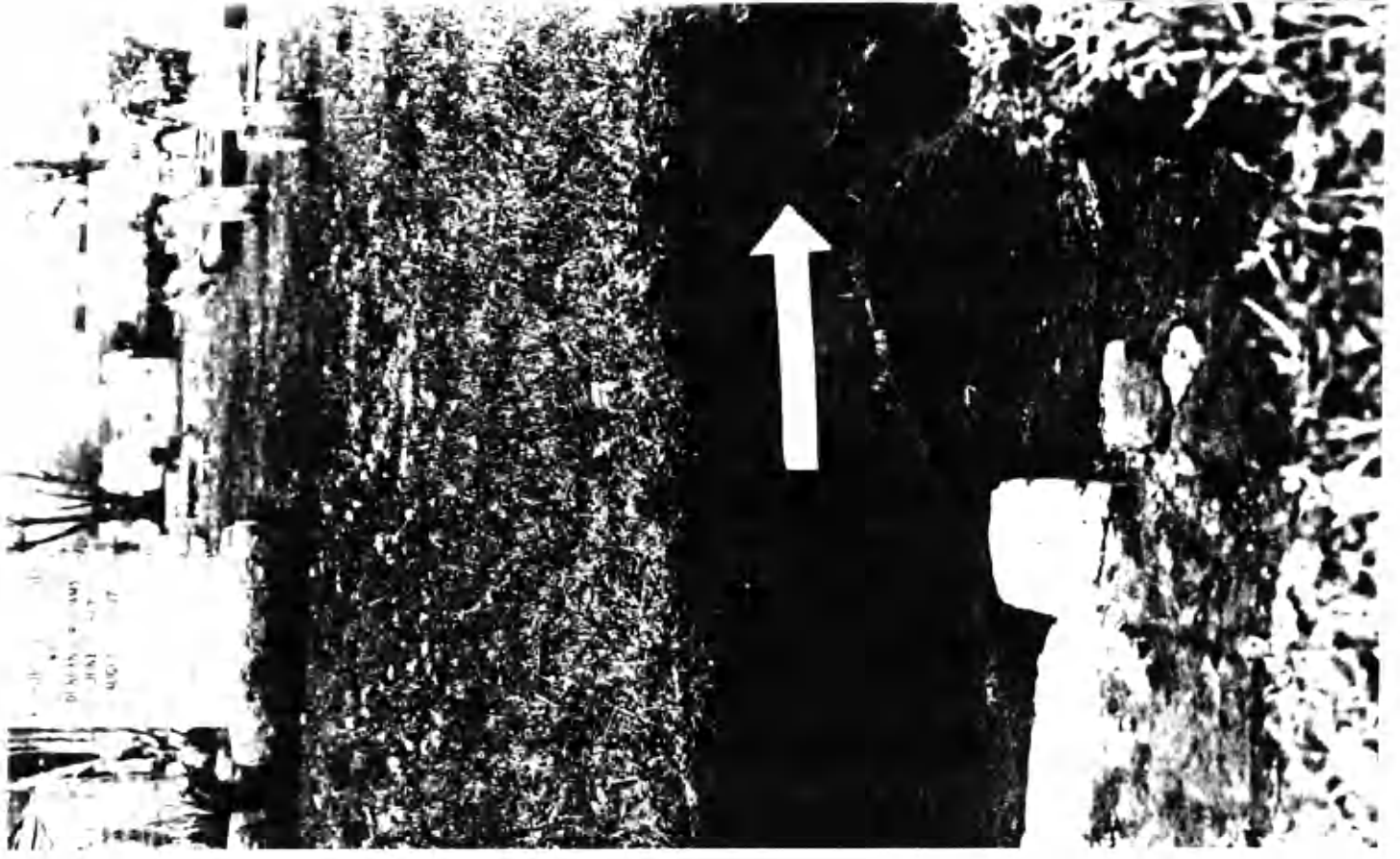
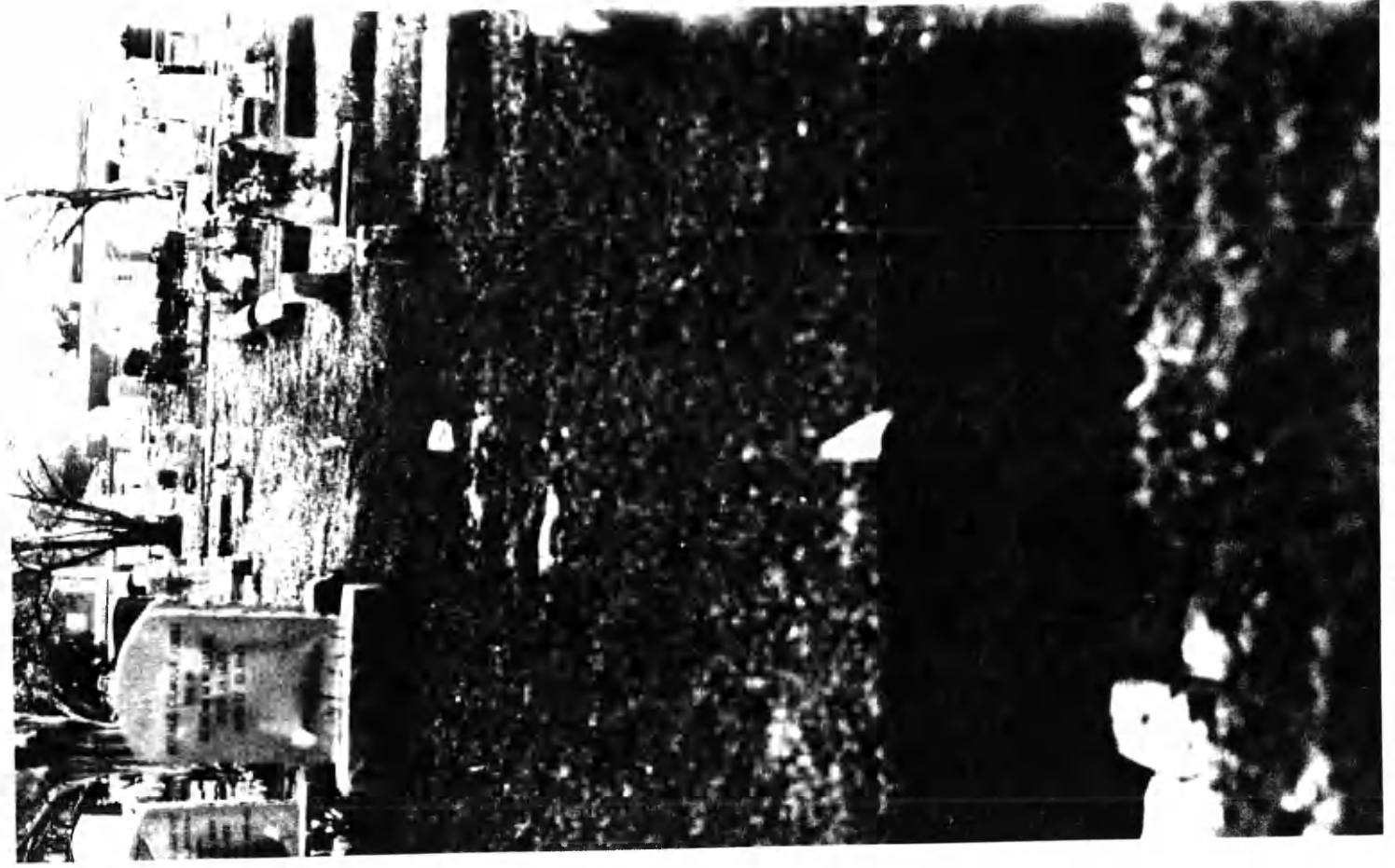


Plate 18 and 18a The line where the north wall ran is today an empty strip used as a pathway.

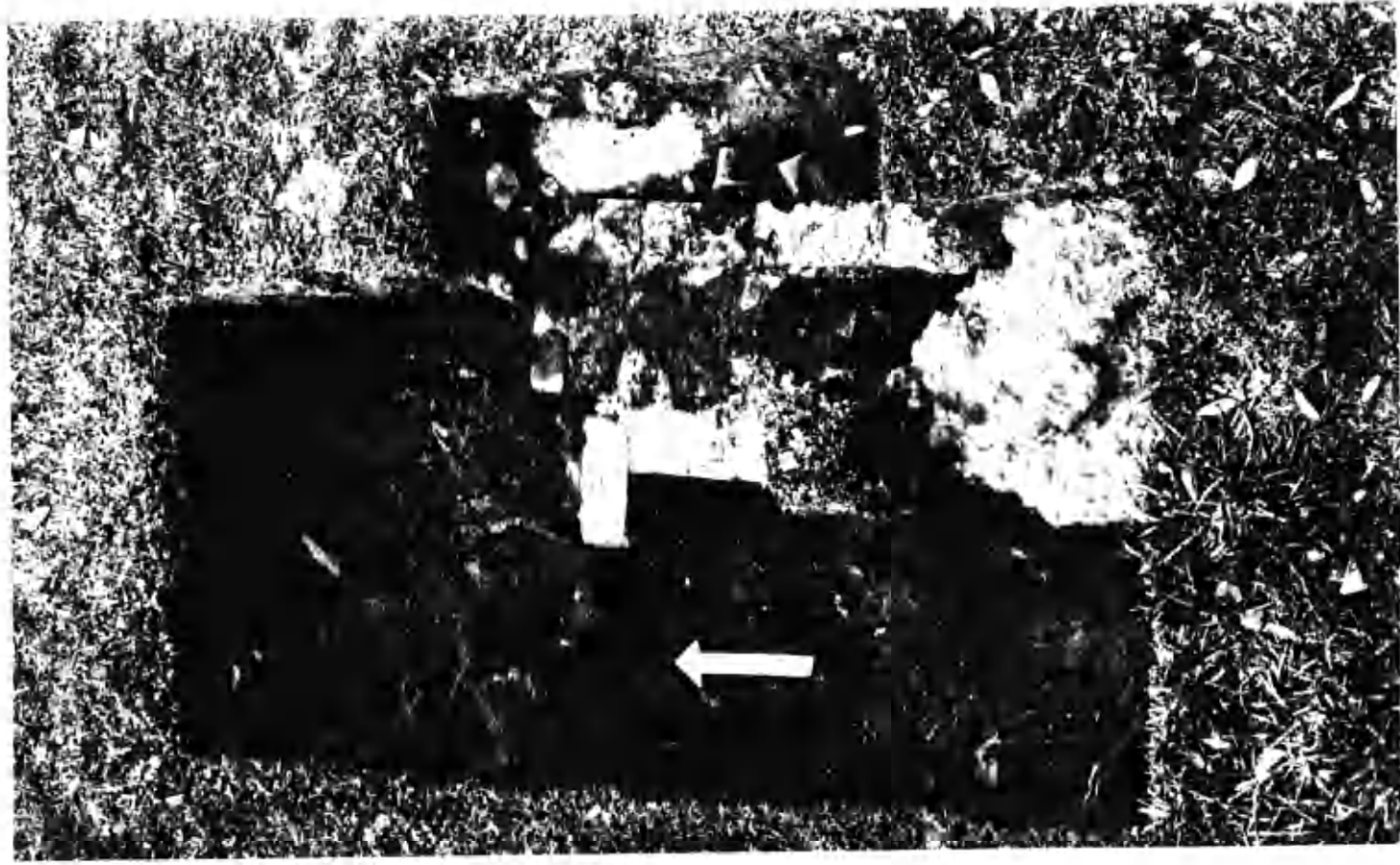
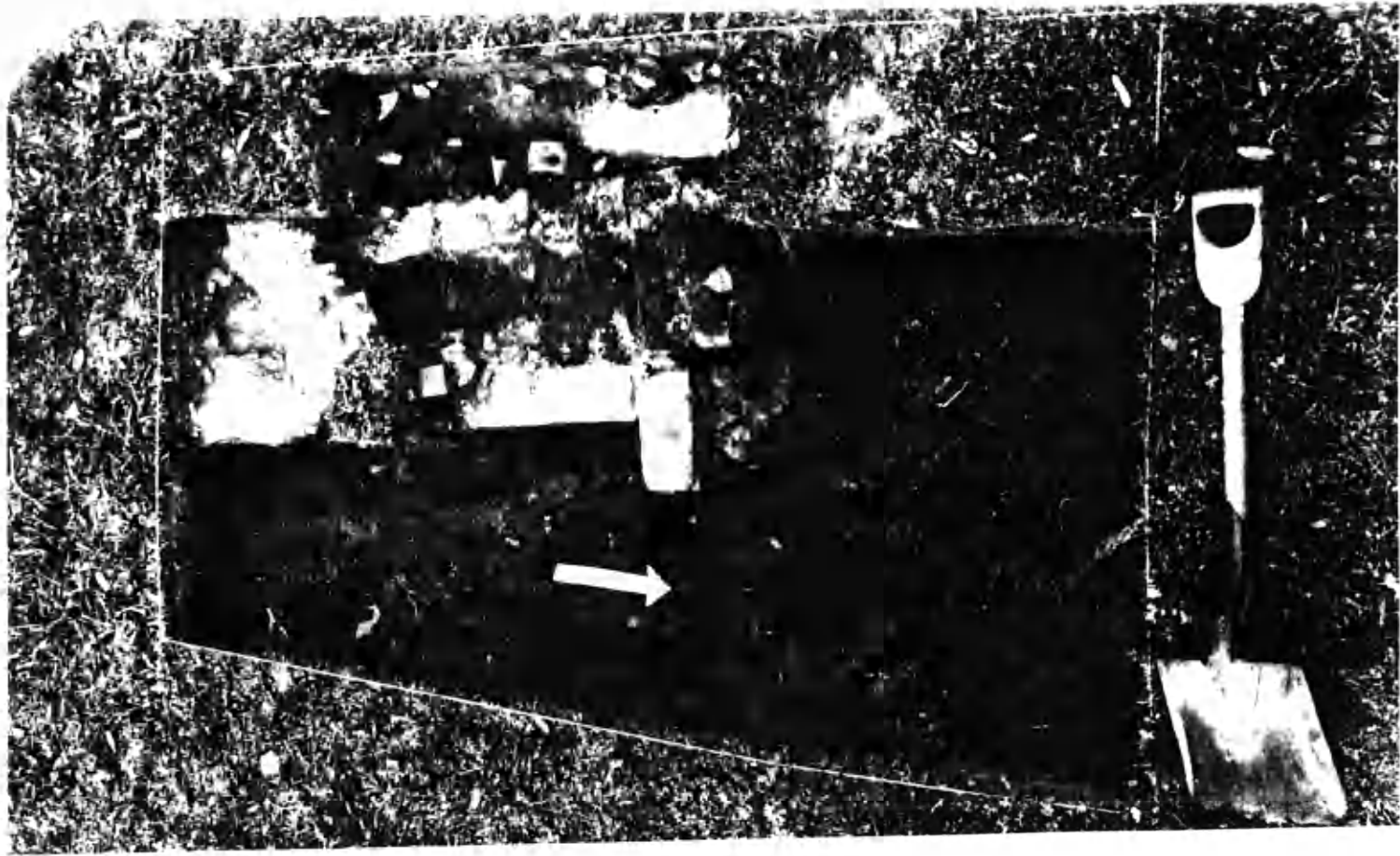


Plate 19 and 19a Overall of 44HT51/3C, before excavation of the NE corner



Plate 20 Overall of 44HT51/2C (and part of 1C) before excavation

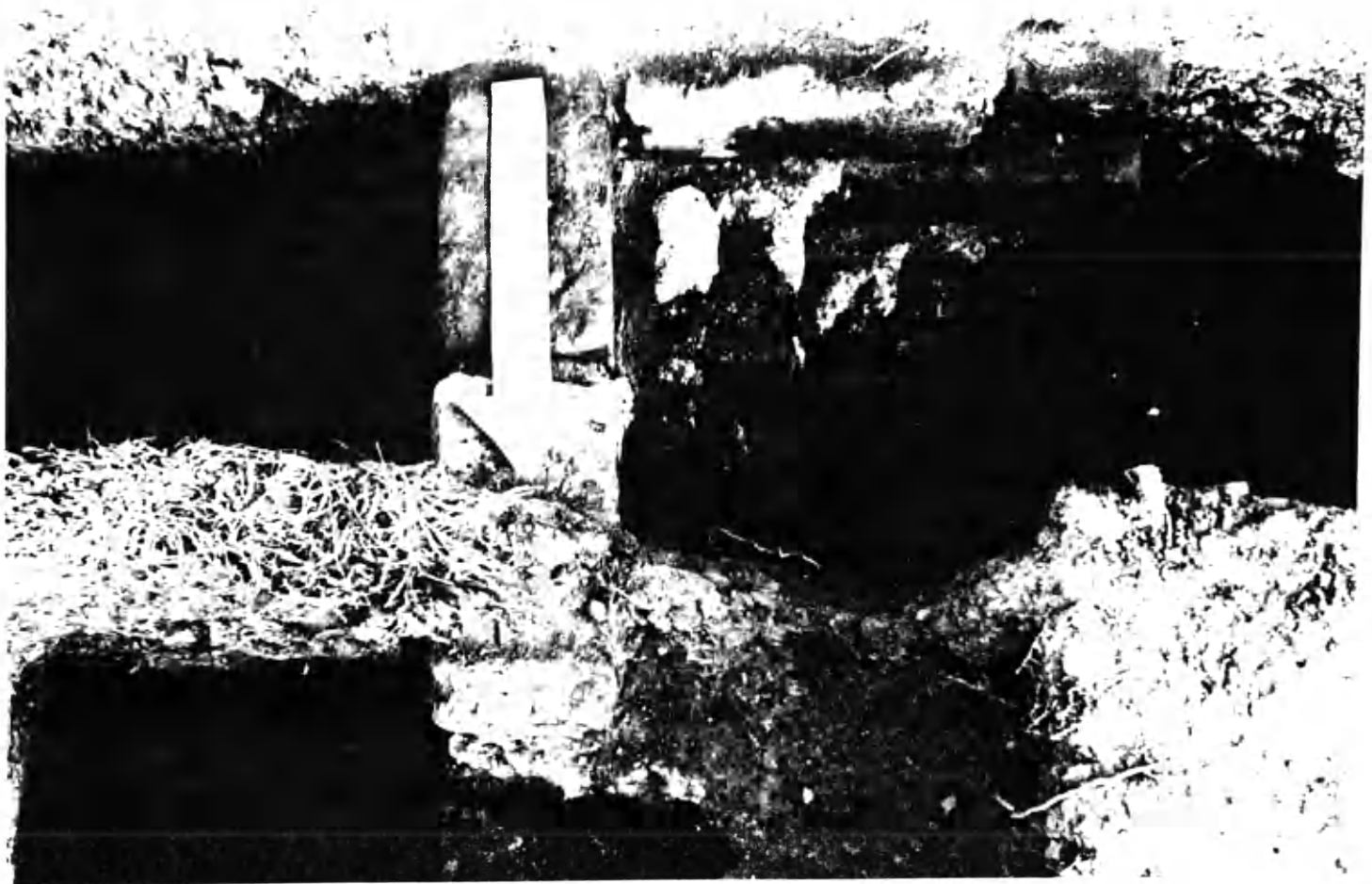
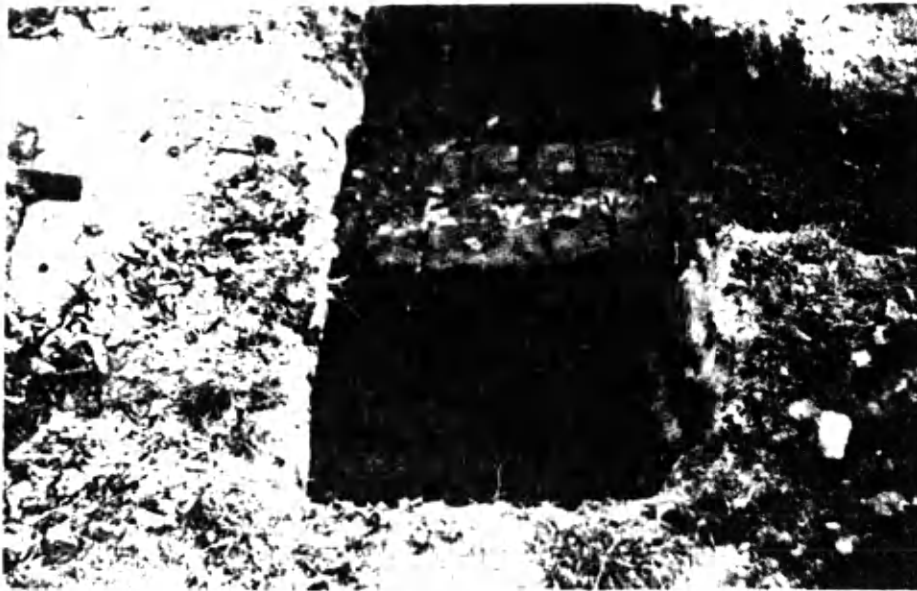
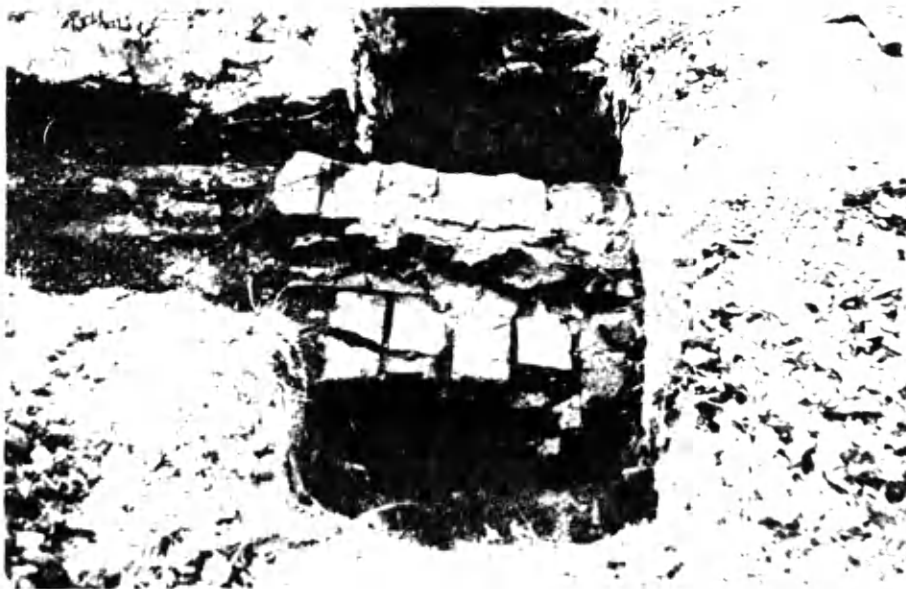


Plate 21 Section of 44HT51/2C and 1C after excavation



No. 8. Section of old brick wall exposed in second exploratory trench viewed from the north end. Wall is 22 inches wide and 12 inches thick.

Plate 23



No. 9. Same section of wall viewed from south end of trench.

The footing of the mid-eighteenth century churchyard wall around Grace Church in Yorktown (York-Hampton Parish); The footing was discovered in digs by Rex Wilson of the National Park Service in 1966 (Wilson, 1966).



Saint Paul's Episcopal Church — 1834

Plate 24. A drawing of St. Paul's Church in 1834 showing the wall around the churchyard (Courtesy of St. Paul's Church in Norfolk)



Plate 25 A portion of St. Paul's Churchyard wall as it stands in 1982; The walls are much repaired with a mixture of bonds.



Plate 28 The graveyard of Grace Church which sits on the edge of a ridge which is the highest elevation within the Town of York



Plate 26

Map drawing of New Haven, Connecticut, in 1748 showing a center meeting house and graveyard behind without an enclosure (Benes, 1979:6)

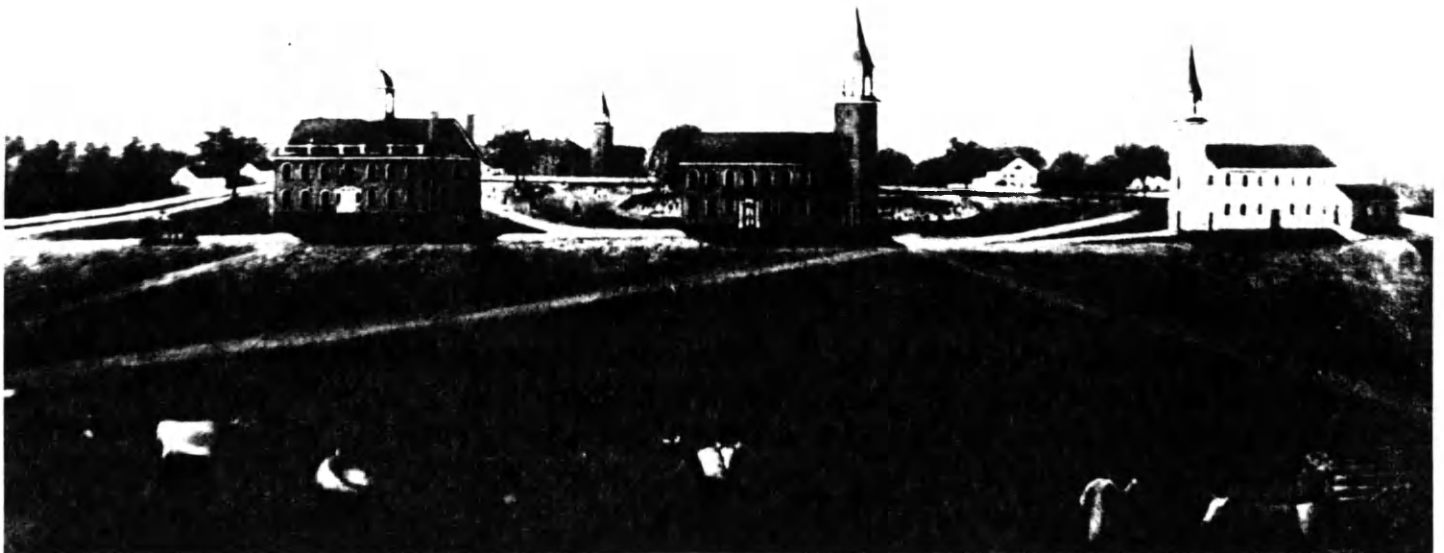


Plate 27

A painting of the New Haven Green in Connecticut as it looked in 1800; The meeting house plan is more Anglican and the graveyard has been enclosed (Benes, 1966:18).



Plate 29

The Elizabeth City Parish Church built in 1728 as it stood after (1848) Revolutionary War; The drawing appears in Lossing's Field Book of the Revolution, Vol. II. The view is from the north.



Plate 30

St. John's Church built in 1728 as it appears in 1982 with the north tower; The view is from the north.