

Chapter 1 : Notes on the Virginia Colonial Clergy : Edward D (Edward Duffield) Neill :

Full text of "Notes on the Virginia colonial clergy" See other formats w N4^ NOTES VIRGINIA COLONIAL CLERGY. BY EDWARD D. NEILL, PRESBYTER OF REFORMED EPISCOPAL CHURCH.

Hi, welcome to the podcast. My guest today is Linda Rowe, a Colonial Williamsburg historian. Linda, thanks for joining us today. If I, in the 18th century, had committed a felony -- say, bigamy, manslaughter, maiming, or grand larceny -- I would be doomed to the noose. Unless I could say some magic words. If I could repeat this phrase from the Bible, I would be spared from the death penalty. Well, at least up until the early 18th century, you were pretty much doomed to the noose, except for a benefit of clergy plea. That strange title for an act or a motion in a court stemmed from ancient practice involving the trial of clergymen in England. There were ecclesiastical courts and there were regular courts of law. So it became a sort of an expected thing. You could use the benefit of clergy plea for certain felonies, but not all felonies. What other felonies might have been on the list that would incur the death penalty? Everything from certain forms of theft, certain levels of theft, to horse stealing, pickpocketing, blasphemy, in England, witchcraft. So there was quite a long list that, to us, appear to range from the very serious, such as treason and murder, to something that would appear to us to be less serious: Before we go any farther I think we should tell people what are these magic words. This is a verse from the Bible, Psalm 51, is it? Have mercy upon me O God, after thy great goodness: Not a bad verse to have memorized. So in practice, if a white man is convicted, he first has to be declared guilty. Originally he would have recited the verse. After that requirement was suspended by the general assembly in Virginia, that was no longer part of the procedure. The judges decided if he was eligible for benefit of clergy. If he was, then a brand was applied in open court, either by the sheriff or one of his minions, and sent on his way. It was painful, but considered merciful if you weigh it against hanging. Tell me more about branding. Did each courthouse have a sort of set of branding irons? Well, the general court and the court of Oyer and Terminer at the Capitol here in Williamsburg was certainly had a brazier of sorts, the branding iron. Manslaughter was unintentional murder and was considered eligible for benefit of clergy. You started talking about the origins of this, and it goes back to the early church and, is it 4th-century England? It could go back that far. Technically when the Roman Emperor Constantine accepted Christianity. It really became more prominent when the pope in Rome began to be the head of the universal Roman Catholic church. His desire was to protect the priests, the priestly order in all countries. He headed a series of ecclesiastical courts which did not, although it tried people and clergymen for various crimes, it never imposed the death penalty. So the idea behind benefit of clergy originally was a plea before the trial to get the trial of a clergyman moved to an ecclesiastical court. So in essence, this places the church above the law. That was the view of the monarch of England, and several heads of state in other countries. Various acts of parliament either extended benefit of clergy, sometimes restricted benefit of clergy. It went back and forth until about , when an act of parliament kind of once and for all severed the relationship between benefit of clergy and the ecclesiastical courts. Thereafter, it was a plea that was available to any convicted felon who was eligible for benefit of clergy. The reading test was instituted, all kinds of holdovers from earlier times, but by that time, it had become kind of a pro forma plea in regular law courts. You mentioned a reading test. Explain that to me. How did that limit who could use the benefit of clergy plea? Well, at the time that it was available only to clergymen, they were among the few people in medieval Europe who could read well. So they were supposed to come to court in their clerical dress, with the special tonsured haircut, but many courts of law did not accept just that. They also added the reading test to confirm in their minds that this was indeed a clergyman. So you see there, they accepted that, probably knowing that he had memorized it. So from there, the reading test was eliminated altogether about in England and in Virginia. It goes from being a tool of a very exclusive sect of people to something allowed in a more democratic way. Benefit of Clergy was extended to women and slaves in You can see that, particularly where women were concerned, because they were not eligible to be clergymen in England, they were a group of people that were left out. Of course the common people and others were not eligible to be clergymen either under the religious system at that time.

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Extract from Sermon of Patrich Copland, before the Virginia Company, preached at Bow Church, London, Thursday, April 18, "And, that I may bend my speech unto all, seeing so many of the Lord.

In lieu of an abstract, here is a brief excerpt of the content: A resident of England, for example, who was unable to pay the cost of passage to America, might agree to work for another individual for a specified time, generally from four to six years, in return for payment of travel expenses and maintenance during the period of servitude. Servants hoped to improve their social and economic position in America after acquiring freedom. Rarely do we think of educated clergy as products of indentured servitude. Among the more than three hundred ministers of the established Church of England who served in colonial Virginia, Daniel Sturges, the subject of this essay, was one of only two British natives who came to the Old Dominion as indentured servants. Writers have never identified Sturges properly. Secular scholars have learned little about him. Mary Newton Stanard knew that Sturges had been a servant and storekeeper but did not realize that he had become an Anglican clergyman. His descendants know nothing about the origins of their progenitor. In her family history, *The Rev. These men of the cloth served an important religious and public institution, the established Anglican Church, and endured the vicissitudes associated with the [End Page 61] Revolution and the disestablishment of the church. For historians to make valid generalizations about the clergy, the church, and the Revolution in Virginia, which they sometimes feel compelled to do, correct and complete data about individual parsons is imperative. Sturges was not a celebrated divine, but evidence shows he became a capable and respected minister despite his background. The two most important issues involving servants in the New World are their social and economic origins in Britain and their economic opportunities and social mobility in the American colonies upon earning freedom. Scholars are not in agreement about their origins, variously concluding that they represented the unwanted rabble, the middle or working classes, the lower levels of society, and all ranks of society below the peerage. Some studies find that ex-servants did very poorly, several conclude that about 20 to 25 percent became yeomen or artisans, and others think that a majority demonstrated upward mobility. In the next century, after slaves had gradually replaced servants as laborers, the demand switched from unskilled to skilled servants. These eighteenth-century immigrants stemmed from a higher social level and enjoyed better prospects upon achieving freedom. This swing to more proficient workers produced servants like Daniel Sturges. This sketch reveals that he was capable and reasonably well-educated, that he sprang from the upper middle class, and that he improved both his social and economic standing after fulfilling his contractual obligations. All the surviving labor contracts from to made in London, the apparent place of birth and residence of Sturges, are contained in the "Memoranda of Agreements to Serve in America and the West Indies" and are held at the Corporation of London Records Office, London Guildhall. Scholars have abstracted and printed these agreements but the name of Daniel Sturges is not to be found in the published lists. Thus it seems evident You are not currently authenticated. View freely available titles:*

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â€¢ 34 virginia colonial clergy. and his son, he went on board a small schooner, the Nell Gwynn, and, sailing down the Potomac, entered the Chesapeake, and was taken aboard a vessel, which, on the 20th of October, reached Dover, in England.

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The assembly of provided for the spiritual independence of the parishes outside of James City, by a law, which gave to the vestry of a parish and the county commisioners the right to elect and make choice of their ministers, which ministers should not be suspended by the Governor, except by.