

SEVENTH ANNUAL REPORT

OF THE

# LIBRARY BOARD

OF THE

VIRGINIA STATE LIBRARY

1909-1910

TO WHICH IS APPENDED THE

Seventh Annual Report of the State Librarian

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RICHMOND

DAVIS BOTTOM, SUPERINTENDENT OF PUBLIC PRINTING.

1911.

# State Library Board

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ARMISTEAD C. GORDON, *Chairman*.....Staunton, Va.  
JOHN W. FISHPURNE.....Charlottesville, Va.  
THEODORE S. GARNETT.....Norfolk, Va.  
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EDMUND PENDLETON.....Richmond, Va.

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H. R. McILWAINE, *Librarian*,  
*Ex officio* Secretary of the Board.

# Library Staff

October 31, 1910.

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Librarian .....	H. R. MCILWAINE.
Assistant Librarian.....	EARL G. SWEM.
Head of Department of Archives and History....	H. J. ECKENRODE.
Reference Librarian.....	MRS. KATE PLEASANTS MINOR.
Head of Traveling Library Department.....	G. CARRINGTON MOSELEY.
Assistant in charge of Serials.....	MISS EDMONIA BLAIR MARTIN.
Cataloguer .....	W. F. LEWIS.
Assistant Cataloguer.....	MISS ETHEL I. NOLIN.
Stenographers .....	MISS ROSE GOODE.
	MISS VIRGINIA JONES.
Janitor .....	JOHN D. SNYDER.
Assistant Janitor.....	D. M. PETTICREW.

# Report of the State Librarian

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RICHMOND, VA., *November 1, 1910.*

*To the State Library Board of Virginia.*

GENTLEMEN:

I have the honor to submit the following report of the growth of the Virginia State library for the year beginning November 1, 1909, and ending October 31, 1910, of the work done by the library staff, and of the present condition and prospects of the institution.

## GROWTH OF THE LIBRARY.

During the past year 6,979 books and pamphlets have been added to the library—probably a greater number than ever before added in any one year. Of these, 2,971 came at one time, consisting of the library of the late Mr. John Dunlop, of Richmond, Virginia, a collection which will be described at some length a little further on in this report. Of the other accessions, 3,796 came by gift or exchange, largely the latter, and 222 by purchase. The smallness of the number of books purchased is to be accounted for by the fact that the funds at our disposal have been largely expended in other necessary ways, the amount that could be spent in the purchase of books being only \$606.15 (in this not being included, of course, the expenditures for binding and for subscriptions to periodicals, which were \$463.20 and \$387.88 respectively), and with this sum there having been bought a small number of expensive books rather than a large number of cheaper ones. As soon as the cataloguing of the library, demanding as it does a considerable outlay for the purchase of Library of Congress printed cards and for cataloguing supplies of all kinds, is completed, and with this the printing and distribution of the finding lists—the latest finding list issued by the library cost \$681.00—it will be possible to spend a great deal more money in the purchase of books. In the meantime it will be necessary to depend largely for growth on exchanges and gifts. The most interesting volumes that have been added during the year, other than the books of the Dunlop collection, are the following:

Bowker, R. R. State Publications.

New Hampshire State Papers. 21 v.

The South in the Building of the Nation. Completion of set.

Messages of Governors of New York. 11 v.

Gentleman's Magazine. 1731-1834.

Report of the Ladies' Mount Vernon Association. 1854 to date.

Catholic Encyclopedia. vols. 6, 7 and 8.

## USE MADE OF THE LIBRARY.

For details as to number of visitors coming to the library during the year, number of books served to readers, and the number circulated, the members of the board are referred to the report of the reference librarian. Attention should probably be drawn, however, to the fact that since the new reading room has been in use it has been more difficult than formerly to register the number of visitors, for the reason that they frequently pass hurriedly through the old reading room and are lost to view before the reference librarian, or the person in temporary charge of the desk—possibly engaged at the time in attending to the wants of other patrons—has a chance to record them. The number of visitors recorded is bound to be further below the actual number than it has heretofore been, when I have estimated that probably one visitor in ten failed to be recorded. But I do not think that this inaccuracy is a matter of any great moment, since I attach very little importance to figures giving the mere number of visitors to an institution of this character. However, the statistics kept show an increase in the number of visitors to the library over that for the preceding year of twenty-five per cent., in the number of books served to readers in the library of nineteen per cent., and of books lent for home use of seven per cent. These figures are gratifying, but they fail altogether to show the increased use made of the reference books—which are for the most part on open shelves—and the use made of the library's collections both of books and manuscripts by serious students who expect sooner or later to publish the results of their researches, these students being allowed to work in the stack room without let or hindrance and in the manuscript room without any very great amount of supervision. The extent of this use must be got at in some other way. Hence I have, while making preparation for writing this report, endeavored to recall to mind the students of this kind who within the year have to my own knowledge made use of our resources, some of them for weeks and even months at a time. I have made a list of twenty-nine such students, and this is not the full number of those who have come, for certainly not all have let their ultimate object be known. And of books published within the year the material for which has been gathered to a greater or less extent at the State library fourteen have come under my notice. The library, therefore, though greatly more useful than formerly to the public at large, is still in the main a library for research work, whether this be carried on by members of the General Assembly and State officials or by students preparing some work for publication. The library in its main functions is still the kind of library which Thomas Jefferson, its virtual founder, had in mind when he wrote his bill for the establishment of a public library in Richmond.\*

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\* In 1776 a committee of revisers of the laws of Virginia was appointed by the General Assembly to make of the old laws a consistent code and to suggest additions suited to the new conditions. The committee consisted of Thomas Jefferson, Edmund Pendleton, George Wythe, George Mason, and Thomas Ludwell Lee—of whom the last two named (not being lawyers) did little of the work—and reported their recommendations in one hundred and twenty-six bills ready for the action of the Assembly in 1779. When the report was printed in its entirety in 1784, so small was the edition ordered (only 500) that at the present time a copy of the report is a rarity. For this reason it happens that writers who have treated of Jefferson's views on the subject of public

## WORK DONE IN THE SEVERAL DEPARTMENTS OF THE LIBRARY.

As usual, the reports made to me by the heads of the various departments into which it has seemed wise to divide the work of the library are submitted in full, with possibly an occasional change, in order that the details of the work may be more clearly understood. To the departments as now recognized, there

education have not frequently handled the question with the fulness of knowledge that could come only from a first-hand acquaintance with the bills on the subject embraced in "The Report of the Committee of Revisors," all written by Jefferson, and entitled, the first, "A Bill for the more general diffusion of knowledge"; the second, "A bill for amending the constitution of the College of William and Mary, and substituting more certain revenues for its support"; and the third, "A bill for establishing a public library". His scheme was a most comprehensive one, embodied in detail in the bills referred to: that a school teaching the rudiments of knowledge and supported by public money should be within reach of every child in the State; that there should be a high school accessible to all who proved themselves capable of taking advantage of the opportunities presented; that William and Mary College should be converted into a State university for the reception of those fitted to pursue their studies beyond the high school courses; and that there should be a public library for the encouragement of work of research. Jefferson's plan had to wait many years for realization, only his first bill passing at the time and at that with an amendment which practically defeated it in operation. His bill in reference to the library was as follows:

SECTION 1. Be it enacted by the General Assembly, that on the first day of January, in every year, there shall be paid out of the treasury the sum of two thousand pounds, to be laid out in such books and maps as may be proper to be preserved in a public library, and in defraying the expenses necessary for the care and preservation thereof; which library shall be established at the town of Richmond.

SECTION 2. The two houses of Assembly shall appoint three persons of learning and of attention to literary matters, to be visitors of the said library, and shall remove them, or any of them, and fill any vacancies, from time to time, as they shall think fit; which visitors shall have power to receive the annual sums before mentioned, and therewith to procure such books and maps as aforesaid, and shall superintend the preservation thereof. Whensoever a keeper shall be found necessary they shall appoint such keeper, from time to time, at their will, on such annual salary (not exceeding one hundred pounds) as they shall think reasonable.

SECTION 3. If during the time of war the importation of books and maps shall be hazardous, or if the rate of exchange between this Commonwealth and any State from which such articles are wanted, shall from any cause be such that they cannot be imported to such advantage as may be hoped at a future day, the visitors shall place the annual sums, as they become due, in the public loan office, if any there be, for the benefit of interest, or otherwise shall suffer them to remain in the treasury until fit occasions shall occur of employing them.

SECTION 4. It shall not be lawful for the said keeper, or the visitors themselves, or any other person to remove any book or map out of the said library, unless it be for the necessary repair thereof; but the same shall be made useful by indulging the researches of the learned and curious, within the said library, without fee or reward, and under such rules for preserving them safe and in good order and condition as the visitors shall constitute.

SECTION 5. The visitors shall annually settle their accounts with the auditors and leave with them the vouchers for the expenditure of the monies put into their hands.

might be added a cataloguing department, on account both of the importance of the work and of the number of those employed. The work of this department is under the immediate supervision of the assistant librarian, whose functions, however, do not by any means end here, he being an assistant to the Librarian in the supervision of the work of all the departments. This year he has handed me a report of the work done in cataloguing which I have in large measure incorporated in the portion of my report bearing on the catalogue.

There is no report this year from the department of bibliography, or, more accurately speaking, department of bibliography and legislative reference work, the name of the department having been changed two years ago in recognition of the fact that much—possibly most—of the special work done for members of the General Assembly in 1908 was done by the head of the department known at that time as the department of bibliography. When the head of this department, Mr. William Clayton-Torrence, resigned in May, 1910, no one was elected to take his place. As has been pointed out, the interests of the library as a whole seemed to demand that the \$100 a month paid the head of this department should be used in the payment of the two salaries up to that time a burden on the general library fund. The legislative reference work done by the library staff at the last meeting of the General Assembly has already been described. It should be said here that much of it—nearly all of that part of it, in fact, consisting of furnishing lists of references to laws passed in the last fifteen or twenty years in other States than Virginia on all subjects for which lists were asked by members—was done by Mr. Torrence. During the session of the General Assembly when not performing this work, and after its adjournment, Mr. Torrence was engaged in preparing a list of titles of Virginia documents, both legislative and executive (including in many cases analyses of contents) from 1776 to the present time. When he left the service of the library, this work, except for revision, had been completed. It is in my judgment of very great value.

The report of the department of archives and history speaks for itself. I wish, however, to call particular attention to what is said in reference to the inability on the part of this library to secure the names of the Virginia soldiers in the Revolutionary War preserved in the records of the War Department, Washington. Last June I made a special trip to Washington in company with Mr. Virgil A. Lewis, Head of the Department of Archives and History of West Virginia, to see what could be done; but, though pleasantly received by both the Secretary of War and the Adjutant-General, I accomplished nothing, the Adjutant-General, who has immediate charge of the records to which we wish access, informing me that a Cabinet order had been issued some years ago to the effect that no one—not even an employee of the office—be allowed to copy these papers, many of which are in a precarious condition. The order was made, I was told, in the interests of the sure preservation of the papers till they, with others to be collected, may be published. The list of Revolutionary soldiers that we are making will therefore have to be merely a list containing the names of those of whom some record is preserved in this library.

Nothing seems necessary to be added to the report of the traveling library department or to those of the reference and serials departments. It may be pointed

out, however, that both of the latter reports give an account not only of the work of the two departments respectively, but of the work of those in charge when engaged in the performance of duties other than the usual duties of the departments. From these it will be seen, as well as from the reference in the report of the department of archives and history to the help given the head of that department in making his list of Revolutionary soldiers, that what is called a department in the language of this library is not, as it were, a field with a high fence built around it, but that on the contrary the worker in one of these fields is required when his own territory is well cultivated to go to the help of his neighbor, who perhaps has had a larger tract assigned him. In other words, each employee of the library is expected to do a full day's work under all circumstances. I am pleased to say that it is not often that I notice any disposition to fall short of this requirement.

#### MR. E. S. EVANS'S MONOGRAPH ON THE SEALS OF VIRGINIA.

When Mr. E. S. Evans resigned on August 5, 1907, from the position of assistant librarian, he was at work on a monograph on the seals of Virginia which he had undertaken as one of his regular duties in the library, at the request of Mr. Jno. P. Kennedy during Mr. Kennedy's term of office as Librarian, and which it was understood would on completion be published as a part of the annual report of the library. Since his resignation Mr. Evans has, as opportunity has served, continued the work, and has succeeded in putting it in final form for publication. Pursuant to the resolutions of the library board of November 11, 1908, and April 27, 1910, on the subject, I shall print it as a part of the present annual report. The monograph contains information of interest and value.

#### FINANCIAL STATEMENT.

The salaries of the Librarian and of those members of his staff whose salaries are fixed by the General Assembly are as follows:

Librarian, .....	\$2,500 00
Assistant librarian, .....	1,600 00
Reference librarian .....	1,200 00
Cataloguer, .....	900 00
Stenographer, .....	750 00
Janitor, .....	780 00
Assistant janitor, .....	600 00

From the \$6,000 appropriated by the General Assembly for "salaries of such other assistants and expenses necessary for publishing the Journals of the House of Burgesses . . . and for traveling libraries," the following salaries are paid according to order of the board, the last two in the list having been put on this fund in April last:

Head of the traveling library department, .....	\$1,200 00
Head of the department of archives and history, .....	1,200 00
Assistant in charge of serials, .....	600 00
Assistant cataloguer, .....	600 00
Stenographer and copyist .....	600 00





ILLUSTRATION No. 1.

See top of page 5.

# Virginia State Library

## THE SEALS OF VIRGINIA

BY  
EDWARD S. EVANS.

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PUBLISHED AS A PART OF THE REPORT OF  
THE VIRGINIA STATE LIBRARY  
FOR 1909-1910.

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RICHMOND, VA. :  
DAVIS BOTTOM, SUPERINTENDENT OF PUBLIC PRINTING.  
1911.

## Letter of Transmittal

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VIRGINIA STATE LIBRARY, *January 10, 1911.*

*The Library Board of the Virginia State Library:*

GENTLEMEN:

I have the honor to transmit herewith a monograph on the seals of Virginia prepared by Mr. Edward S. Evans, former assistant librarian of the Virginia State Library—a piece of work begun by Mr. Evans when a member of the library staff, but not till very recently completed. Its publication as a part of the report of the Virginia State Library was directed by a resolution of the board agreed to at a meeting held November 11, 1908.

Embodying the results of a thorough study of a subject whose investigation is difficult, the monograph will, it is believed, prove of permanent value. My editorial functions have, in the short time that the paper has been in my hands, been confined in the main to the verification of references.

Very respectfully,

H. R. MCILWAINE,  
State Librarian.

## Introduction

While assistant state librarian, it became my duty to prepare a seal for the stationery to be used by the Virginia State Library, and with this idea in view I collected specimens of various designs used on stationery in the different State departments. I found these designs to differ in so many important details that I was entirely at a loss as to which was correct.

The accompanying illustration (No. 1) will give some idea of the confusion which had entered into the design of the seals for the State departments, and will illustrate the lack of knowledge on the part of even those State officers who had been for many years in the service. One of the most striking errors, which appears in several of the designs, is in the dress or costume of the tyrant; his figure is shown accoutred in full armor of the thirteenth century, whereas the Amazon is dressed in armor used about one thousand years before Christ.

Every variety of attitude and every error imaginable has been incorporated in one or another of these designs.

In the old seal for the Virginia State Library we have the most unique of all: The Amazon here looks like a man of herculean strength and has her foot placed on the back of the head of the tyrant, whose chin rests on the ground; an enormous crown of modern design is seen lying in the background.

The various discrepancies in most of the seals brought out in my search for the correct design, led me to delve much deeper into the subject than I had first intended. Authorities were read, specimens of various seals examined, archives searched through, and at last my interest was awakened to such an extent that the work was begun in earnest.

In preparing the history of the seals of Virginia for the Colonial Period, it has been my desire to make it as full and complete in its documentary evidence as is possible from the sources at hand. It could have been shortened and made more interesting by eliminating many of the documents shown, but to the student of history, who desires sources, the method employed will, I believe, appeal; particularly so, as the documents quoted are scattered very widely, some being in the Public Record Office, London, and the British Museum, others in the State Department and among the records of the United States Senate at Washington, and others in the Virginia State Library, the Library of the Virginia Historical Society and the University of Virginia Library. A number of others are in the hands of individuals. So that at a later date it will be impossible for the student to find all of the same sources. This profuseness of evidence has the advantage of giving a clear idea of the forms and wording of the old warrants and orders, and in some instances, the correspondence of an age which will be of interest to the student of American history.

Col. McRae attempted in his report made in 1884 to fix the correct design for the seal, and whereas he gives a brief summary of the various vicissitudes through which the seals passed he makes no claim to having given a complete

history. Some of his conclusions are incorrect, and many points of importance have been entirely left out. When this discrepancy became apparent I pursued the same method for obtaining reliable evidence that I had with regard to the Colonial seals, visiting the State Department at Washington, the United States Senate and the War Department; also going carefully through the Lenox Library in New York, the John Carter Brown Library in Providence, the Library of the University of Virginia, Virginia State Library, Virginia Historical Society Library, and the Library of Congress. I also corresponded with various historical students.

Every document and every specimen of the seal in existence in the depositories noted above has been examined, the work taking two years; and as a result the work contains illustrations of all of the State seals used from 1776 to 1911, with the possible exception of the great seal used from 1779 to 1808.

The more perfect indexing which is going on in all the great depositories may ultimately throw a little more light on the subject, but all of the main features have been covered in this monograph.

# Seals of Virginia.

## PART I.

### Colonial Period.

In the minds of most Englishmen of the early part of the Seventeenth Century there was a certain romantic atmosphere which hovered over the new possessions known as "Virginia"; nor was James I., with all his grossness, entirely free from this feeling, for we find that, not satisfied with the drawings made by the engravers for the new seal of Virginia, which had for the obverse the representation of St. George slaying the dragon, he had this changed so that his own effigy would appear thereon. From that time throughout the history of the Colony, wherever effigies were used at all they were those of the monarch.

Since the discovery of Virginia and long before its actual settlement, it had been spoken of as the kingdom of Virginia. Spenser dedicated his "Fairy Queen" to Elizabeth, "Queen of England, France, Ireland and Virginia." In the inscription accompanying an admirably engraved portrait of the "Virgin Queen" by Henricus Hondius, The Hague, 1632, belonging to the Westmoreland Club, she is entitled, "Serenissima ac Potentissima Princeps Elizabet D. G. Angliae, Franciae, Hiberniae et Virginiae Regina Fidei Christianae Propugnatrix Acerrima."

It will be found, however, that Virginia at this time had no coat of arms of her own and did not appear on the quarterings of the coat of arms of Elizabeth. Nor was Virginia ever quartered on the arms of any monarch of England at any later date.

The arms of James I., who succeeded to the English throne March 24, 1602-3, were, quarterly, 1st and 4th, France and England; quarterly, 2nd, or, a lion ramp. within a double tressure flory counterflory gu., for Scotland; 3rd az. a harp or, stringed ar., for Ireland. Supporters dexter, a lion ramp. guard. crowned or (Eng.) sinister, a unicorn ar. gorged with royal coronet and claimed or. (Scot.)—Motto—*Beati pacifici and dieu et mon droit.*

On April 10, 1606, during the reign of King James I, "Our cousin of Scotland," and while Sir Walter Raleigh was still in the Tower with twelve years more of imprisonment before him, the former granted letters patent to Sir Thomas Gates, Sir George Somers and others for two colonies in Virginia and described the seals to be used for them as follows:

"James I's letters Patent to Sir Thomas Gates, Sir George Somers, and others, for two several Colonies and Plantations, to be made in Virginia, and other Parts and Territories of America. Date April 10th, 1606. . . . .

I. James, by the Grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c. Whereas our loving and well disposed Subjects, Sir Thomas Gates, and Sir George Somers, Knights, Richard Hackluit,

Clerk, Prebendary of Westminster, and Edward-Maria Wingfield, Thomas Hanham, and Raleigh Gilbert, Esqrs. William Parker, and George Popham, Gentlemen, and divers others of our loving Subjects, have been humble Suitors unto us, that We would vouchsafe unto them our License, to make Habitation, Plantation, and to deduce a Colony of sundry of our People into that Part of America, commonly called Virginia, and other Parts and Territories in America, either appertaining unto us, or, which are not now actually possessed by any Christian Prince or People, situate, lying and being all along the Sea Coasts, between four and thirty Degrees of Northerly Latitude from the Equinoctial Line, and five and forty Degrees of the same latitude, and in the main Land between the same four and thirty and five and forty Degrees, and the Islands thereunto adjacent, or within one hundred Miles of the Coasts thereof; . . . . .

VII. And we do also ordain, establish, and agree, for Us, our Heirs, and Successors, that each of the said Colonies shall have a Council, which shall govern and order all Matters and Causes, which shall arise, grow, or happen, to or within the same several Colonies, according to such Laws, Ordinances, and Instructions, as shall be, in that behalf, given and signed with out Hand or Sign Manual, and pass under the Privy Seal of our Realm of England; Each of which Councils shall consist of thirteen Persons, to be ordained, made, and removed, from time to time, according as shall be directed and comprised in the same Instructions; And shall have a several Seal, for all Matters that shall pass or concern the same several Councils; each of which seals shall have the King's Arms engraven on the one Side thereof, and his Portraiture on the other; And that the Seal for the Council of the said first Colony shall have engraven round about,—on the one side, these Words: *Sigillum, Regis Magnæ Britanniæ, Franciæ, et Hiberniæ*; on the other Side this Inscription, round about: *Pro Concilio primæ Colonie Virginie*. And the Seal for the Council of the said second Colony shall also have engraven, round about the one Side thereof, the aforesaid Words; *Sigillum Regis Magnæ Britanniæ, Franciæ, et Hiberniæ*; and on the other side; *Pro Concilio secundæ Colonie Virginie*.

VIII. And that also there shall be a Council established here in England, which shall, in like Manner, consist of thirteen Persons, to be, for that Purpose, appointed by us, our Heirs and Successors, which shall be called our Council of Virginia; And shall, from time to time, have the superior Managing and Direction, only of and for all Matters, that shall or may concern the Government, as well of the said several Colonies, as of and for any other Part or Place, within the aforesaid Precincts of four and thirty and five and forty Degrees, above mentioned; which Council shall, in like manner, have a Seal, for Matters concerning the Council or Colonies, with the like arms and Portraiture, as aforesaid, with this Inscription, engraven round about on the one Side; *Sigillum Regis Magnæ Britanniæ, Franciæ, et Hiberniæ*; and round about the other side, *Pro Concilio suo Virginie*.<sup>1</sup>

The accompanying illustration (No. 2) is a photograph of the seal of the supreme Council in England and was taken from Egerton Mss. 2,087 fo. 3 in the British Museum. It is a certificate of a payment made by the mayor and com-

<sup>1</sup> See Colonial Entry Book, Vol. 79, pp. 1-42, Public Record Office. The charter is printed in full by Stith, Hening, and Brown.



ILLUSTRATION No. 2.  
See bottom of page 8.

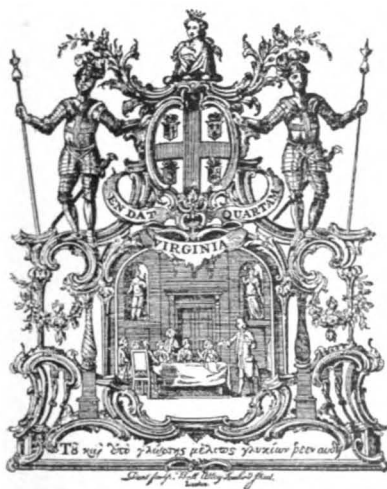


ILLUSTRATION No. 3.  
See bottom of page 11.



ILLUSTRATION No. 4.  
See Middle of page 12.





monality of Dover for a share in a venture to Virginia—Signed by Edw. Mayer and sealed with royal seal “pro concilio suo Virginiae.”

This specimen only shows the obverse of the seal, the cut showing the reverse being taken from Neill's *Virginia Vetusta*, p. 4.

Other reproductions may be seen in the *American Hist. Record* of Apr. 1872, Vol. 5, No. 4, p. 160-62, Brown's *Genesis of the United States*, Vol. 1, p. 57, and Winsor's *Narrative and Critical History of America*, Vol. III, p. 140.

In 1619, a year marked by several important events in the Colony, including the assembling of the first General Assembly, the London Company adopted a “Cote for Virginia.” The coat of arms has been a puzzle and source of speculation to every historian who has attempted to write about the seals of Virginia. It has been sometimes confounded with the proper seal of the Colony itself. It is found as a book plate or frontispiece in nearly all of the printed acts and official proceedings of the Colonial government. It appears in Smith's *History of Virginia*, editions 1624 and 1632, in Beverley's *History of Virginia*, in several issues of the *Virginia Gazette*, and in Stow's *Survey of London* published in 1633. It was changed slightly from time to time to make the quarterings agree with the arms of the different reigning houses, and after the union of England and Scotland in 1707 “quartam” succeeded “quintum” in the motto.

We find in Neill's *Virginia Company of London*, p. 154, the following, taken from the records of the Virginia Company:

“Nov. 3, 1619.

“Whereas formerly a seale for the Company called the Legall Seale was referred unto a Committee to consider in what manner it should be, and nothing as yet done therein: It was agreed that Mr. Harecutious be intreated to giue the Auditors sometimes a meeting at Sr. Edwin Sandis, where they will devise to take a Cote for Virginia and agree upon the Seale.

“Nov. 15, 1619.

“Touching the Legal Seale spoken of in the Last Court the Auditors at their Assembly haue therein taken some paynes w'ch they now presented to this Courte: And whereas they had spoken to one for the cutting of it, there is one Mr. Hole who would appropriate that unto himselfe under pretence of hauing a Patent for the engrauing of all seales, w'ch hath the Kinges arms, but not for any part thereof, and there fore appointed them to repaire to Mr. Xtofer Brooke of Lincolne's Inn to examine it, and bring his opinion under his hand in writing and accordingly it should be determined.<sup>2</sup>

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<sup>2</sup> The Mr. Hole referred to in the minute was William Hole, or Hoole, engraver of the map of Virginia, printed in 1612, and re-issued in 1624 in Smith's *General History*. In 1618 he obtained a life grant as “sculptor of the iron for money.” The following anecdote from the Weever Manuscripts is told by Hunter:

King James evidently did not like the proceedings of the Virginia Company, and when the device of the seal was presented to him, where on one side was St. George slaying the dragon, with the motto *Fas Alium Superare draconem*, meaning the unbelief of the natives, he commanded that the motto should be omitted. The motto on the other side, *En dat Virginia quintum*, referring to the four crowns was in the taste of the times. The “Cote for Virginia,” with a slight alteration of the motto, was used by the Colony until its separation from Great Britain. The escutcheon is quartered with the arms of England

Dr. Tyler in the William & Mary Quarterly, Vol. III, No. 2, contends that "quintum" is correct and that "quintam" as used in Stow's Survey is an error of the engraver.

I am inclined to think from collected evidence covering more than a hundred and fifty years that the two meanings were used indiscriminately, and that the words for fourth and fifth were sometimes made to qualify "regnum" and at other times "coronam." Take the following examples: the "cote" used in Stow's Survey in 1632 has the word "quintam;" the same "cote" used as a book plate in Journals of the House of Burgesses of 1753 has the word "quartam;" and the seal used by Queen Anne from 1705 to 1713 also uses "quintam." On the other hand, we find that the "cote" used as frontispiece of Smith's History, editions of 1624 and 1632, uses the word "quintum"; the seal used in 1698 on a proclamation of Gov. Nicholson having the royal initials C. R. flanking the crown has the word "quintum"; and the seal used from 1699 to 1705 with the royal initials W. R. also has "quintum".

Dr. Palmer, editor of the Calendar of Virginia State Papers, thinks that the fact that the coat of arms has been reproduced in the frontispiece of the earlier editions of the histories of Virginia, and was for a long time used as a book plate in the miscellaneous collection of old volumes belonging to the Colonial Council, and subsequently to the State Library, does not prove it to have been the official seal during the corresponding period. He says: "If it was preserved for so long a time it may be inquired with reason why it should not also have been found upon official documents in some form or other during all this period. The habit of giving it the conspicuous positions just referred to, seems to have grown into a custom by which a relic of the past was to be preserved, rather than with any intention of recognising it as a symbol of official authority.

Upon the accession of King Chas. I in 1625, the Virginia Company had passed away, and it may be supposed that with its destruction, had also been involved the disappearance of all traces of its corporate existence. Its 'cote of arms' or seal must have therefore shared the same fate."

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and France, Scotland and Ireland, crested by a maiden queen with flowing hair and eastern crown. Supporters; Two men in armor, beavers open, helmets ornamented with three ostrich feathers, each holding a lance. Motto: *En dat Virginia quintum.*

Spenser, Raleigh's friend, dedicated his Fairy Queen to Elizabeth, "Queen of England, France, Ireland and Virginia." After James of Scotland succeeded to the throne of England, Virginia would be in compliment called a fifth kingdom.

In an edition of Stow's Survey of London, published in 1632, the coat of arms appears with the motto, *En dat Virginia quintam*, and it may be that the *quintum* on the frontispiece of Smith's History, editions of 1624 and 1632, is an error of the engraver although it is correct as an adjective qualifying *regnum*. The editor of the Survey subjoins the following note:

"The Company of Merchants called Merchants of Virginia, Bermuda or Summer Islands (for I heare) all these additions are given them. I know not the time of their Incorporation, neither by whom their armes supporters and crest were granted."

On the title page of the Revised Statutes of Virginia for 1733, 1752, and 1759, the coat appears with the motto, *En dat Virginia quartam*, the adjective agreeing with *coronam* understood. After the union of England and Scotland, in 1707, *quintum* was probably changed to *quartam*. Virginia Company of London. pp. 155-156.

A significant feature of the "cote of Virginia" is the cross on the escutcheon and on the corslets of the two men in armor, indicative of the undercurrent of religious enthusiasm which entered into and influenced so largely the earlier undertakings of the "adventurers" to Virginia. It was with the high purposes of carrying the Gospel to the natives and of establishing new possessions for the crown that these daring men braved the terrors of an unknown deep.

A variation of the above coat of arms was adopted in the early part of the eighteenth century and used as a book plate (See illustration No. 3) by the Council on a number of their printed books. It did not supersede the original "cote", but, on the contrary, both were used at the same time. The newer design consisted of the original device, below which appeared a view of a council chamber with councilors around a table, while below, the words, "from whose tongue flowed speech sweeter than honey", appeared in Greek.

The above coat of arms, whereas of great interest to historians and archaeologists, was never, so far as can be ascertained, officially used as a seal for the Colony.

On June 16, 1625, Charles I dissolved the London Company and appointed commissioners to take charge of Colonial affairs. After this date the only value that could attach to the coat of arms was that of a sentimental nature.

In the meantime, however, we find the seal described in the charter in constant use until 1651-52—no change being made during the reign of Charles I. A few specimens bearing these later dates are still preserved. Dr. Lyon G. Tyler describes as among his papers two patents granted by Sir John Harvey, Governor of Virginia from 1629 to 1635 and 1636 to 1639, both bearing the oval seal of James I. The papers, which are double sheets, have red wax between the leaves in the right hand corner, and on the outside of each sheet appear respectively the obverse and reverse impressions of the seal. In the collections of the Virginia Historical Society is a patent granted by the same Gov. Harvey, dated March 4, 1638, which has a fairly good specimen of the seal.

After the surrender of Virginia to the Parliament, March 12, 1651-52, the old seal with its royal devices was abandoned, and patents of land were no longer said by the Governor to be "Given under my hand and the seal of the Colony" but were "Given under my hand" and the instruments were attested by the Secretary of State.

On March 24, 1654-5, "The Governor, Councill and Burgesses" in granting a pardon to Lieut. Col. Thos. Swann, call attention to the lack of a seal in the Colony. The following is the order in full:

"March 24, 1655.

"WHEREAS Leift. Coll. Tho. Swann at a session holden by commission from the Governour the second day of July last, in Surry County, accused and impeached for the death of his servant one Elizabeth Buck, The fact found by the jury homicide per misadventure whereby he is by law of England to sue out his pardon of course vnder the broad seale from the chancellor, ffor obteyning of which he hath now humbly addressed himselfe to the Governour and Councill—Vpon consideration thereof had.

Whereas this colony is not as yet settled with such officers as belong to passing such pardons and noe publick seale being in the countrey, The Governour, Councill and burgesses of this present Grand Assembly conceive it sufficient to declare, That the said Thomas Swan be discharged from further trouble, and be

restored to the like condition he was in before the said homicide per misadventure committed by him, and that he may safely acquiesce herein as if his pardon had bin sued out formally. And as concerning his goods and chattles to be forfeited thereby, they likewise conceive and declare that the rigor and forfeiture hereof shall not be taken, and that he shall be acquitted for the same.<sup>3</sup>

The lack of a seal in the Colony extended over the entire period of the Commonwealth and over part of the first year in the reign of Charles II, who was restored to the throne in May, 1660. Dr. Tyler mentions two patents in York County granted after the restoration of Charles II, one dated 16th October 1660 and the other 26th March 1660-61, each of which lacked the seal.

As soon as a new seal could be devised and engraved, it was sent to the Colony and we find it in use less than a year later. The new seal was slightly oval in shape and about two inches in diameter. It bore the crown flanked by the royal initials C. R. (Charles Rex). The shield, which bore the escutcheon of the House of Stuart, was encircled by the garter bearing the words "Honi Soit qui Mal y pense." Around the exergon of the seal was the motto: "En dat Virginia quintum." The accompanying illustration (No. 4) is from a photograph of a seal used in 1698 on a proclamation of Gov. Nicholson, now in the Public Record Office, London.<sup>4</sup> This is a white wafer attached to the document with red wax and impressed with the seal.

In the Virginia Historical Society collections there is among the Ludwell Mss. a patent, dated 27th of October 1663, bearing this seal. Other specimens, in the Virginia State Library, are a patent granted by Sir Wm. Berkeley to Thomas Bushrod in Westmoreland County, dated 2nd July, 1669; a patent granted by Sir William Berkeley, dated 13th March, 1667, to William Dudley in Lancaster; a writ ordering the election of a Burgess for Northampton County, bearing date of 1st September 1686; a commission of Francis Page to be clerk of the House of Burgesses, dated 24th April 1688 (this is a very poor specimen); and a proclamation of Gov. Francis Nicholson for a fast day, "Praying Almighty Providence to direct this Assembly to make good and Wholesome laws", bearing date 24th April 1691. Dr. Lyon G. Tyler possesses two good specimens dated 28th Sept., 1678, and February 1, 1686, respectively. There are probably other specimens in the Public Record Office, the Virginia State Library, and the Virginia Historical Society Library. All of those that I have seen are identically alike.

It is said by William Lee that his ancestor, Richard Lee, visited Charles II at Breda to invite him to come to Virginia as his sovereign, but finding that proper support could not be obtained he returned and remained quiet until the death of Cromwell, at which time he and Sir William Berkeley brought to bear sufficient influence to have Charles proclaimed king of England, Scotland, France, Ireland and Virginia, about two years previous to his restoration in England. In consequence of this step the motto of the Virginia arms until the Union was "En dat Virginia quintum," but after the Union of England and Scotland it was changed to "En dat Virginia quartam." William Lee is evidently wrong as to this story, as Gov. Berkeley did not proclaim Charles II king until Sept.

<sup>3</sup> Henning's Statutes at Large, Vol. 1, p. 406.

<sup>4</sup> Board of Trade Papers, Virginia 6.

20, 1660, four months after his restoration in England. Dr. Lyon Tyler discovered his proclamation among the York County records in 1891.<sup>5</sup>

Upon the accession of James II to the throne, early in the year 1685 he sent instructions to the Governor, Lord Howard of Effingham, to continue the use of the old seal. The following is a copy of the original warrant:

"Feb. 15, 1684-85.

"James the Second, by the Grace of God King of England, Scotland, France and Ireland, Defender of the Faith &c., to our right Trusty and welbeloved Francis Lord Howard of Effingham, Our Lieutenant and Governor General of our Colony and Dominion of Virginia in America, and to the Commander in Chief for the time being Greeting. Wee doe hereby authorize you to use the seal of that our Colony engraven with the Name and Inscription of the late Deceased King Our Dearest Brother, for sealing all things whatsoever that pass the Seal in Our said Colony and Dominion until wee shall give Order for another Seal to bee made with Our Own Royal Name and Inscription. Given at Our Court at Whitehall the 15th day of February in the first year of our reign.

By his Majestys Command,

SUNDERLAND.

(A true copy teste.)

J. W. GREENWOOD."<sup>6</sup>

In the Minutes of a meeting of the committee of Trade and Plantations for Feb. 19, 1684-5, we find as a duplicate of the dispatch of the Council of the 6th inst: "To Lord Effingham with duplicate of the warrant of the 15th inst., for "continuing the seal of Virginia in this day likewise delivered to Mr. Burke to "be conveyed to Virginia by a ship now ready to sail for Maryland."<sup>7</sup>

The following memorandum relative to the above is found in the Public Record Office:

"Feb. 23, 1684-85.

"Delivered to Mr. Chapman a packet, for Sir Richard Datton at Barbados, inclosing a Duplicate of the letter from the Council of the 6th Instant with the Proclamations inclosed to my Lord Effingham. Which letter was signed W. Cant. Guilford, C. L., Rochester, Halifax, C. P. L. Beaufort, Huntingdon, Bridgewater, Chesterfield, Middleton, Craven, Aielsbury, W. London, Fauconbey, Dartmouth, I. Ernle, L. Jenkins, George Jeffreys.

JOHN NICHOLAS."<sup>8</sup>

An interesting point not generally known<sup>9</sup> is brought out by the document bearing seal dated Sept. 1, 1686. It is a writ of election of burgesses, issued at Rosegill (the ancient seat of the Wormeleys) by the Governor, Lord Howard of Effingham, to the sheriff of Northampton. The capital was then at Jamestown, and it was a trip of more than a hundred miles by water to Rosegill. No writ

<sup>5</sup> See Richmond Times, 1891, quarterly, Vol. I.

<sup>6</sup> The McDonald Papers, Vol. 6, pp. 325-326, Virginia State Library.

<sup>7</sup> Salisbury Abstracts, Vol. 19, p. 159; from Col. Entry Bk., No. 108, p. 93.

<sup>8</sup> The McDonald Papers, Vol. 6, p. 326.

<sup>9</sup> Palmer evidently had not seen the letter of Ralph Wormeley when he wrote the following in the Calendar of Virginia State Papers (Vol. 1, pp. 35-36): "The document bearing Seal, dated Sept. 1, 1686, is a writ of election of Burgesses, issued at Rosegill (the ancient seat of the Wormeleys) by Gov.

for election could be issued except by the Council and Governor, the seal necessarily being affixed by the former. Therefore the Council must have been at Rosegill in attendance upon the Governor, for it to have been possible to have issued the writ from that point. This was not necessarily a hardship on the Council, as nearly all of the members lived in lower Virginia and might be said (Virginia men being a place of "magnificent distances") to have been near neighbors of the Wormeleys. A letter<sup>10</sup> of Ralph Wormeley's, dated Rosegill,

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<sup>10</sup> LETTER OF RALPH WORMELEY.

Virginia, Rosegill, 25 April, 1795.

I hear there lives at Riccal, in Yorkshire, a Mr. Wormeley. I wish to know his Christian name, whether he be a married man, of what age and what peculiar turn, where educated—in short, all circumstances concerning him and his family.

I would also convey to him, if I could, the following information as to his family in this country: that it has been settled here upwards of one hundred and fifty years, that the grandfather of the subscriber was carried to England by his mother, who was a daughter of Eltonhead (Gen'l), at three years old, she being then a widow. While in England (her Christian name was Agatha) she married Sir Henry Chicheley, a Knight and Alderman of London. Her son, after his education at school, Oxford, and the Temple was finished, returned to Va. one of the King's council and secretary of the colony.

Lord Effingham Howard, governor of Virginia, lived with him at Rosegill. Mr. Wormeley died aged sixty years, A. D. 1700. His sons, his grandson, my father, and I have resided there ever since.

The writer of this was educated at Eaton School. Robert D. Avery Hilliard of Winestead was his cotemporary both there and at Trinity Hall, Cambridge, and can inform Mr. Wormeley of the truth of the above facts; he was a fellow commoner of Trinity Hall. The present Bishop of London he is known to, and also to Edmund Jennings, Esq., formerly of Yorkshire, and now of Lincoln's Inn. Mr. William Beverley, of Beverley, in Yorkshire, who married Miss Midgeley, can inform Mr. Wormeley of the character, circumstances, family and condition of the underwritten. In 1765 he returned to Virginia, and was one the King's council in the colony, and a member, of course, of the upper house of legislature. In the war he was confined for his loyalty and attachment to the old government, suffered in his person and fortune.

He has three sons and three daughters. Mr. William Strickland the son of Sir George Strickland, has been here, having done him the favor to get letters to introduce him to the subscriber. He can also inform Mr. Wormeley of all particulars concerning the writer of this paper. Ralph Wormeley of Rosegill is the oldest son of the late R. Wormeley, who was the oldest branch of the family, none of whom are left but his sons and daughters. Ralph Wormeley has two brothers and one sister alive, who married Mr. Philip Ludwell Grymes of Brandon, Virginia. There are none of the name left except the subscriber, and his children and his two brothers.

WM. STRICKLAND, ESQ.,

RALPH WORMELEY.

Lord Howard Baron of Effingham to the sheriff of Northampton. He and his council must have been visiting guests at the place, unless it was his own private abode, before having become the property of the Wormeley's or their predecessors. In the latter event unless the Colonial Governors at this time had authority to issue writs of election of their own will and pleasure it is to be presumed the Council must have attended him in his retirement at such a distance from the Capitol. Certainly there is nothing to show that Rosegill was ever recognized as a place of official residence from which might be sent out the orders of the Colonial Council."

25 April, 1795 (to be found in his letter book now in possession of the heirs of Dr. Andrew Grinnan, which letter was printed in the *William & Mary Quarterly*, Vol. 6, p. 152) says: "Lord Effingham Howard, Governor of Virginia lived with him [Mr. Wormeley] at Rosegill." This explains why it was that the writ was issued from the Wormeley seat, and furnishes an illustration of a magnificent Colonial home where a Governor and his entire Council could be and were comfortably entertained.

Lord Howard of Effingham seems to have abused the use of the seal, charging extraordinary fees, and this in spite of many complaints and protests. The following extracts from Hartwell, Blair and Chilton's "Present State of Virginia" and from a letter of Nicholas Spencer to the Hon. President [of the Council] will be of interest:

Extract from "Present State of Virginia" (Lon. 1727), p. 29-30.

"About thirteen years ago, when the House of Burgesses had the Nomination of their own Clerk, after several fruitless Applications to the Governor and Council, they went about a Petition of this Nature to the King, against a new Invention of a Seal made use of by the Lord Effingham, who was then Governor, whereby he drew from the Country about 100,000 Pounds of Tobacco per Annum, extraordinary Fees; and some other Grievances. It happen'd that the Business took Air a little before the Petition was finish'd and read in the House; whereupon the Governor sent for them by the Messenger to come immediately before him. They knowing that it was to dissolve them, first sign'd and dispatch'd their Petition, and order'd their Clerk and one of the Members to transmit it to Whitenall, (to what Office we do not remember) and to request that it might be delivered to the King; which they ventur'd to do. But all the effect of it was, that instead of being deliver'd to the King, the very original was sent back to the Lord Effingham, together with an Account of how it came to their hands. Upon which it was resolv'd to make Examples of those two Gentlemen that transmitted it by Order of the House of Burgesses, to deter others from the like Attempts; and accordingly one of them being a Surveyor and Clerk of the House of Burgesses, was turn'd out of these Places, and the other being a Lawyer, was forbid his Practice at the Bar."

Extracts from a letter of Nicholas Spencer to the President:

"May 17, 1687.

"The fee of two hundred pound of Tobacco for the Seal affixed to Patents and other publick instruments to authentick the same, demanded by his excellency was brought as a grievance upon this subject was many arguments, in which the principal argument for demanding and receiving the fee was from the words of his Majesties commission unto his excellency My Lord Howard to use and keep the seal and it being observed that in all other His Majesties Dominion a fee suitable to the Dignity of the Seal was appointed and taken, his Lordship accounted the fee due for the Seal to be a perquisit of his government, its wished his Majesty would be pleased by Royal Command to say what shall bee the fee for the Seal, this would allay all heats and jarrs from thence arising.

The next matter complained of is a fee demanded by the Master of the Escheat office of five pounds, or one thousand pound of tobacco for finding an office Escheat. It appeared not to be an unprecedented fee, because it had been

soe of long standing and the officer often times required to goe fifty miles distance from home to hold his office, made it of less value to the officer and harder upon the persons having occasion to an office of Escheat to bee found than in a country well peopled and of small circumference.

The next under question was a small fee of Thirty Pounds of Tobacco charged by my clerks for recording Surveys of Lands, which tho approved to be most necessary to set forth the foundation from whence to grant Patents for Lands by surveys taken up, yet, being appointed by the Governor and Council was excepted against that it was by the Governors and Councils' order and that from a due consideration had of the matter the inclosed order makes appear and humbly beg leave to offer to your Lordship that the Recording of a Survey is soe necessary, that noe Patent for Land ought to bee issued but from that foundation, that if the value bee but considered what it at the outside can produce (being not above seven or eight pounds Sterling) in the year I humbly suppose being so appointed to be Recorded and soe necessary to be done and that of soe inconsiderable a charge for so great a benefit, cannot bee a Country grievance, to mee a matter of soe little advantage that were it not a duty incumbent on mee to observe the command of the Governor and Council, I should not put my Clerks upon so much writing for soe slender a consideration.

The last matter was that fines and forfeitures ought to be accounted for to the Assembly, and though they say are in his Majesty by law yet to be applied to the defraying the charges of the Government, to which was answered that all fines and forfeitures are of right in the Crown, and if his Majesty will bee soe graciously pleased to appropriate them to the use and benefit of the government, yet its to such and such uses as his Majesty shall please to appoint. And tho' an account of all fines and forfeitures are required to bee returned to Mr. Attorney General and by him to the Auditor, to the extent may be duly levied and collected, yet so small a matter is received in that it will but very little tend to the defraying the charge of the government.

My Lord I have as evenly and succinctly summed up the principal matter of debates of the late Assembly as my frail memory will give leave which are fully and plainly set forth by the Journal presented to my Lords, the Lords the Committee of Plantations, therefore, I ought not to venture longer to trouble your Lordship than to beg leave to bee admitted to bee

Right Honorable,

Your Lordships most numble and most obedient Servant,

NICHOLAS SPENCER.

(A true copy)

EDW. McDERMOT,  
HENRY B. HAMILTON."<sup>11</sup>

King James II, on Dec. 20, 1687, forwarded a new seal to Lord Howard. This seal has caused no little speculation on the part of historians. So far as can be ascertained, there are no impressions of it extant, and it is thought by

<sup>11</sup> The McDonald Papers, Vol. 7, pp. 301-303; from Colonial Entry Book, Virginia 83.





ILLUSTRATION No 7.  
See middle of page 22.



ILLUSTRATION No. 8.  
See top of page 25.



ILLUSTRATION No. 9.  
See bottom of page 25.



ILLUSTRATION No 10  
See page 28, sixth paragraph.

many to have never been used. There is, however, strong evidence to the contrary in the warrant of William & Mary, dated Feb. 21, 1688-9, to Lord Howard: "We doe hereby authorize you to use the seal of that our Colony and Dominion: engraven with *the name and inscription of the late King James the second*, for sealing all things whatsoever" etc. (*Italics our own.*)

The seal of James II is fully described in the following abstracts and copies:

"Dec. 21, 1687.

"Minutes of a committee of Trade and Plantations. Is sent to Gov. Lord Effingham a silver seal for the Government and a steel press,—a packet with a warrant authorizing the seal and a letter from the Committee with extracts of letters from captains Crofts and Allen."<sup>12</sup>

"Whitehall, Dec. 20, 1687.

*James R.*

To our Trusty and well beloved Francis Lord Howard, of Effingham our Lieutenant and governor general of our Colony and Dominion of Virginia in America, and to the Governor and Commander in Chief thereof for the time being greeting: Herewith you will receive a seal appointed by us for the use of our Colony and Dominion of Virginia the same being engraven with our Royal Effigies sitting in our Royal Robes enthroned having on each side a Landskip and upon the Canopy which is supported by two angels and a cherubim over head this Motto: en dat Virginia Quintum with our Royal titles in the circumference and on the other side our Royal Coat of Arms, with the garter, crown, supporters and Motto, with this inscription in the Circumference Sigillum Dominii Nostr: Virgin: America. Which said seal wee doe hereby authorize and direct to be used in the sealing of all patents and publick grants of lands and of all public Acts and Instruments which shall bee made and passed in our name and for our service within our said Colony and Dominion, or as any other seal whatsoever appointed for the use of any of our Plantations in America is or hath been, and so wee bid you heartily farewell from our Court at Whitehall this 20th day of December 1687 in the third year of our reign.

By his majts Command.

A true Copy

EDWARD McDERMOT

HENRY B. HAMILTON."<sup>13</sup>

"Dec. 21, 1687.

"Mr. Birds Rect. for the Virginia Seal.

Received this 21st day of December 1687 of William Blathwayt Esq., a large double seal of silver and a steel press prepared for the publick use of his Majestys Colony and Dominion of Virginia in America being engraven on the one side with his Majestys effigies sitting in his Royal Robes enthroned having on each side a Landskip and upon the Canopy which is supported by two angels and a

<sup>12</sup> Sainsbury Abstracts, Vol. 20, p. 105; from Col. Entry Bk., No. 109, p. 121.

<sup>13</sup> The McDonald Papers, Vol. 7, p. 276; from Colonial Entry Book, Virginia 83.

Cherubim over head, this Motto En dat Virginia Quintum, with his Majestys titles in the circumference and on the other side with his Majestys Coat of Arms with the Garter, Crown, Supporters and Motto and this inscription in the Circumference Sigillum Domini Nostri: Virgin: in America which said seal and Press I do promise to deliver to his Excellency Francis Lord Howard of Effingham. His Majestys Lieutenant and Governor General of Virginia or in his absence to the Governor or Commander in Chief of that Colony for the time being, the danger of the Sea excepted.

WM. BYRD

(A true copy)

EDW. McDERMOT,

HENRY B. HAMILTON." <sup>14</sup>

The following is the Order of William & Mary to continue the use of the old seal:

"Whitehall, Feb. 21, 1688-89.

"William and Mary by the grace of God, King and Queen of England, France and Ireland and of the Territories and Dominions thereunto belonging Defenders of the Faith and to our Right Trusty and well beloved Francis Lord Howard of Effingham our Lieutenant and Governor General of our Colony and Dominion of Virginia, and to the Commander in Chief thereof for the time being greeting. Wee doe hereby authorize you to use the seal of that our Colony and Dominion engraven with the name and inscription of the late King James the second, for sealing all things whatsoever that pass the Seal of that our Colony and Dominion until wee shall give order for another seal to be made with our Royal names and inscription. And for soe doing this shall be your warrant given at our Court at Whitehall the 21st of February 1688-89 in the first year of our reign.

By his Majestys command,

SHREWSBURY.

(A true copy)

EDW. McDERMOT,

HENRY B. HAMILTON." <sup>15</sup>

An argument in favor of those holding the opinion that the seal of James II was never used, is seen in the seal adopted by William III. The latter does not resemble that ordered by James II to be used, but is, on the contrary, the same size and general description as that used by Charles II, except that the royal initials C. R. flanking the crown are replaced by W. R. and upon the centre of the Stuart arms, there is an escutcheon of pretence bearing the arms of Nassau. This is a reversal of the general law of heraldry, which allows a man marrying an heiress to place her shield in the centre of his own as an escutcheon of the pretence. William, who married Mary, daughter of James II, placed his shield as prince of Orange in the centre of that of his wife.

<sup>14</sup> The McDonald Papers, vol. 7, p. 277; from Col. Entry Bk. Va. 83.

<sup>15</sup> The McDonald Papers, vol. 7, pp. 319-320; from Colonial Entry Book, Virginia, 83.

The seal described above did not come into use until 1699. It continued, however, as the official seal until 1705, three years after the accession of Queen Anne. The accompanying illustration (No. 5) is taken from a document in the Public Record Office. Another good specimen appears on a patent for land granted by Queen Anne to Craddock, Curl, Echolls, & Glover, dated Oct. 23, 1703.

In 1698 there was considerable confusion in the use of the seals for the various colonies, and it will be seen from the Journal of the Board of Trade of March 7 of that year that the Secretary reported that the seal of Virginia was marked C. R., that of Bermuda I. R.; New Hampshire had no seal at all, and all the other seals were marked W. and M. Mr. Harris, the seal cutter, was ordered to attend on the morrow.<sup>16</sup>

The above condition caused the Board of Trade to take action which resulted in the engraving of new seals for the colonies. The following copies and abstracts give a complete illustration of the formalities, or "red tape", indulged in, in order to procure and deliver the seals.

"Cockpit, March 18, 1697-8.

"Representation of the Lords of Trade to the King. Since his Majesty's accession no public Seals have been sent to Virginia or the Bermuda Islands, so that for want thereof the Acts and other public papers of those Colonies are sealed with the seals of the late Reign—Propose that proper seals be made and sent to those places and also to New Hampshire." <sup>17</sup>

"Kensington, Mar. 31, 1698.

"Order of the King in Council, on Representation of Lords of Trade (of 18th inst.,) proposing that proper seals be made and sent to Virginia, etc.—ordering the Council of Trade to give the necessary directions for preparing the same to be presented to his Majesty for his Royal approbation." <sup>18</sup>

"June 17, 1698.

"Order for Mr. Harris (the Seal Cutter) to be minded to despatch the Seals for Virginia and Maryland." <sup>19</sup>

"Whitehall, Dec. 14, 1698.

"Representation of the Lords of Trade to the King—In obedience to his Majesty's Order in Council of 31 March last, they have caused Seals to be prepared for the public use of Virginia, New Hampshire etc., and lay same with Draughts of Warrants for their use before his Majesty for his signature." <sup>20</sup>

"Dec. 14, 1698.

"Draught of a Warrant to Governor Nicholson describing and directing the use of a new Seal for the province of Virginia—*A stamped impression on paper of said Seal is fastened on this draught of Warrant.*" <sup>21</sup>

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<sup>16</sup> All the Journals of the Board of Trade are in the Pennsylvania Historical Society Library, as transcripts.

<sup>17</sup> Sainsbury Abstracts, Vol. 2, pp. 14; from Plant. Genl. B. T., Vol. 30, pp. 260-1.

<sup>18</sup> Sainsbury Abstracts, Vol. 2, p. 16; from Plant. Gen. B. T., Vol. 30, p. 266.

<sup>19</sup> Journal Board of Trade, Pennsylvania Historical Socy.

<sup>20</sup> Sainsbury Abstracts, Vol. 2, p. 95; from Va. B. T., Vol. 30, p. 309.

<sup>21</sup> Sainsbury Abstracts, Vol. 2, p. 96; from Va. B. T., Vol. 2, B. 21. Copy is entered in Va. B. T., Vol. 30, pp. 310-311.

"Dec. 14th, 1698.

"To our Trusty and well beloved Francis Nicholson Esq. our Lieutenant and Governor General of our Colony and Dominion of Virginia in America and to our Lieutenant Governor and Commander in Chief of our Colony for the time being, Greeting. With this you will receive a Seal prepared by our Order for the use of our Government of Virginia, which Seal is Engraven with our Arms, Garter and Crown with this Inscription round the Same. En dat Virginia Quintum: And our Will and Pleasure is, and we do hereby authorize you and our Lieutenant Governor or Commander in Chief of our said Colony for the time being, to affix the said Seal to all patents and Grants of Lands and to all public acts and instruments of Government which shall be made and passed in our Name within our said Colony and that it be to all intents and purposes of the same force and Validity as any former Seal appointed for the public use of the Government in our said Colony hath heretofore been, which former Seals are not to be made use of or Affixed to any Public Act or Instrument whatsoever but to be Defaced and broken. Given at our Court at Kensington the 10th day of January 1698 In the Tenth year of our Reign.

By his Majesty's Command

IA. VERNON." <sup>22</sup>

"Jan. 16, 1698-9.

"Received from John Ellis Esq. a warrant and a seal for the public use in Virginia which I promise to send to Coll. Nicholson Governor of that Colony by the first conveyance.

JOHN POVEY." <sup>23</sup>

Under date of Feb. 1701 a letter was sent from William III to Gov. Francis Nicholson concerning the sending to England of captured pirates. The seal attached to this document is that of Great Britain and does not have the initials W. R. or the Virginia motto. Other specimens of the national seal appear from time to time up to the middle of the 18th century. The accompanying illustration (No. 6) is of a seal used during the reign of George II. No other seals than those mentioned herein except a small seal used by the revenue officers were used by the Colony. More than one request for separate seals were denied. The following letter bearing on this subject and addressed to Gov. Nicholson was sent by Col. Thos. H. Ellis to R. A. Brock of the Southern Historical Society and published by the latter in the Richmond Dispatch in 1882.

"Whitehall, January ye 4th, 1699-1700.

"Sir,—We received some time past your letter of ye first of July last, together with ye papers therein mentioned & referr'd to . . . We have considered your desire of particular Seals for the Council Office, Secretary's, and Notary Publick, besides ye Great Seal yt you have already, but as you acknowledge there have been no such particular Seals formerly, and we do not find that any such seals have been appointed from hence for any other of his Majties Plantations, we have not thought fit to propose it: but have put the old Seals

<sup>22</sup> Va. Council Journal, Va. State Library, pp. 27-28, of date Jan. 10, 1698/99.

<sup>23</sup> British Museum. Add'l. Mss. 28883 fo. 332.

yt you sent us into Mr. Secretary Vernon's hands; and must leave it to your-  
selfe or any officer concerned to make use of what seal you and his Maj'ties  
Council shall think fitt for the Publick Service in each particular busyness.

Your very loving friends,

STAMFORD,  
LEXINGTON,  
PH. MEADOWS,  
WILLIAM BLATHWAYT,  
JOHN POLLEXFEN,  
ABB. HILL."

Queen Anne seems to have had a penchant for seals. She made several  
marked changes therein, introducing the great double seal and the small "crown"  
seal, etc. Soon after her ascension to the throne Queen Anne ordered that the  
old seals be used until new ones could be prepared. Following are the warrants  
with necessary correspondence:

"Mch. 30, 1702.

"Anne by the Grace of God of England, Scotland, France and Ireland, Queen,  
Defender of the faith &c. to our Trusty and welbeloved Francis Nicholson Esq'r.  
our Lieutenant and Governor General of our Colony and Dominion of Virginia  
in America, or to the Commander in Chief for the time being Greeting— We  
do hereby authorize you to use the Seal of that our Colony w'ch you have last  
used and have at present in your possession for sealing all things whatsoever  
that pass the Seal in our said Colony until we shall give order for another Seal to  
be made with our own Royal name and Inscription. Given at our Court at St.  
James the 30th day of March 1702 in the first year of our Reign.

By her Ma'tys Command

MANCHESTER."

"Whitehall, April ye 13th, 1702.

"Sir,—We send you here inclosed the warrant under her Ma'tys Royal Sig-  
nature Impowering you to continue at present ye use of the publick seal of her  
Colony & Dominion of Virginia—under your Government which we mention in  
ours of the 19th of the last month. So we bid you heartily farewell.

Yo'r very loving friends,

STAMFORD,  
LEXINGTON,  
ROB: CECIL,  
PH: MEADOWS,  
WM. BLATHWAYT,  
JOHN POLLEXFEN,  
MAT. PRIOR."

The same ministers in a letter dated November ye 4th 1702 say:

"The Dispatch of the New Seals intended for all her Majesty's Plantations  
will require some time, But since you have her Majesty's warrant to make use  
of the old one till further Order, there will be no inconvenience in it.<sup>24</sup>

FRANCIS NICHOLSON Esq'."

<sup>24</sup> Copy of letter in possession of Col. Thos. H. Ellis in October, 1882.

The old seal, however, continued in use until 1705. It will be found with the initials W. R. on an interesting proclamation issued by Gov. Nicholson in the name of Queen Anne ordering a solemn day of thanksgiving in honor of the victory of Blenheim. The impression of this seal is imperfect but can be deciphered.<sup>25</sup> Among the Archives of the Public Record Office, in Vols. 8, 10 and 11 of Board of Trade, Virginia, are a few poor impressions of the seal bearing the regal letters W. R. These are mostly proclamations dated 1700, 1703, 1704, 1705. Better impressions are found in the same office on proclamations and acts preserved in Vol. 639, America & West Indies, ff18, 64, 117-123, of dates 1704 & 1705.<sup>26</sup>

The new seal was sent to Virginia on May 8th, 1705. See following copy from the Sainsbury Abstracts, V. 7, p. 349:

"Whitehall, July 28, 1705.

"William Popple Jun. to Gov. Nott, Circular letter inclosing her Maj. Proclamation to appoint a day of thanksgiving for the late Victory obtained in the Spanish Netherlands. In his letter of 8 May last, he sent the new seal for Virginia—is now commanded to acquaint him that, upon receipt thereof, Gov. Nott cause the old seal to be broken before him in council and then transmitted to this Board."

The new seal for Virginia, when it ultimately arrived, had been changed from an elliptical to a circular form. In the motto, "quintam" took the place of "quintum". Below the shield and garter, a scroll appears bearing Queen Anne's motto "Semper Eadem". No royal initials are on this seal. The escutcheon is quartered, 1st & 4th England and France, 2nd, Scotland, 3rd, Ireland. The accompanying illustration (No. 7) is taken from a proclamation now in the Public Record Office dated 1705. In the same office are other proclamations bearing this seal, dated respectively 1710, 1711, 1712 and 1713.<sup>27</sup>

Other specimens of this seal may be seen on original Mss. in the Virginia State Library, as follows: commission of W. Robertson as clerk of the General Assembly, with autograph of Gov. Nott (it is the first document bearing the seal using this name in describing the legislative branch of the government, dated Oct. 22nd, 1705; seal illegible); warrant for laying James City County levy, signed by Spotswood, addressed to Ed. Jacquelin, Gent., Sheriff, dated Dec. 12, 1710; commission to Philip Ludwell as deputy auditor, signed by Spotswood, dated Mar. 14, 1710; commission to James Blair as deputy auditor, signed by Alex. Spotswood, dated July 31, 1713. This is an excellent impression.

The following abstract would indicate that the old seal was not broken and returned until after the death of Gov. Nott, more than a year later:

"Whitehall, Nov. 28, 1706.

"Journal of the Board of Trade and Plant.—Letters read from the President and Council of Virginia, dated 29 Aug. last signifying the death of Col. Nott the Gov. of that colony and a letter to Mr. Secy. Hodges thereupon was signed.

<sup>25</sup> See Calendar Va. State Papers, Vol. I, page 36.

<sup>26</sup> See N. Y. Colonial Documents & New Jersey Archives; letter from Board of Trade, 4 Feb. 1705/6.

<sup>27</sup> See Board of Trade, Virginia, Vols. 12, 13, 14.

also of same date, relating chiefly to the convoys for the Virginia Trade.—Ordered that the Virginia Merchants have notice to attend the Board on Thursday Next,—Also another letter with the papers therein referred to were laid before the Board,—Also another dated 2 Sept. last,—and letter from Mr. Jennings,<sup>28</sup> transmitting the old broken seal and copy of a bill for prescribing the method of appointing County Court Clerks and for ascertaining the fees of the Secretary, County Court Clerks, Sheriffs and Constables.”<sup>29</sup>

The seal with the motto “Semper Eadem” was used continuously until 1714.

Among the Virginia State Library papers are two documents bearing the seal of the Privy Council of Great Britain. The first, dated February 13, 1708, is an order in Council for not embargoing the ship *Frances*. It bears a good impression of this seal. The second is an order in Council for continuing William Byrd in the Council, dated Jan. 8, 1719.

The centre field is without escutcheon, or shield, but is emblazoned with the “Rose and Thistle”, having for supporters, right and left respectively, the lion ramp. and crowned and the unicorn ramp. gorged and wearing a coronet. On a scroll at the base are the following words: Sigill. Priv. Concil.

On July 17, 1708, Queen Anne issued a warrant to John Roos, “engraver of her majesties seals,” requiring him to make new seals for the Provinces of New Hampshire, Massachusetts Bay, New York, New Jersey, Maryland, *Virginia*, Jamaica, Barbadoes and the Leeward Isles and Bermuda, according to such directions as he should receive from the Board of Trade. These directions were given him on August 3, 1708,<sup>30</sup> and he proceeded with the work which when finished wrought a complete change in the character of the seals of Virginia.

Mr. Roos finished the new seal in 1712, and on May 13 of that year the Lords of Trade transmitted to Secy. Lord Dartmouth a draft of warrant “for her Majesty’s signature” authorizing its use.<sup>31</sup> This warrant was sent to George, Earl of Orkney, Governor of Virginia, on Dec. 6, 1712. It fully describes the seal. The following is a copy of an abstract made by Sainsbury:

“Windsor, Dec. 6, 1712.

The Queen’s warrant to George Earl of Orkney, Governor of Virginia for using the new seal, which is engraven on one side with our effigies and an Indian on his knee presenting tobacco to us, and the inscription underneath: En dat Virginia quartam, and this inscription round the circumference, Sigillum Provincia: de Virginia in America; and on the other side our Arms, Garter, Crown, Supporters and motto and the inscription around the Circumference Anna Dei Gratia Magnae Britanniae Franciae et Hiberniae Regina Fidei Defensor,—to all patents and grants of Lands and to Public Acts and Instruments of government made in the Queen’s name,—and the former seal to be broken before the Governor in council and then transmitted to the Lords of Trade.”<sup>32</sup>

<sup>28</sup> For Jennings’ letter, see Va. B. T., Vol. 8, N. 53; also Sainsbury Abstracts, Vol. 7, p. 469.

<sup>29</sup> Sainsbury Abstracts, V. 7, p. 479; from Trade Papers, Vol. 12, pp. 422-4.

<sup>30</sup> See Trade Papers, Vol. 14, p. 262; and Sainsbury Abstracts, Vol. 8, p. 78.

<sup>31</sup> Va. B. T., Vol. 35, p. 402, and Sainsbury Abstracts, Vol. 8, p. 367.

<sup>32</sup> Sainsbury Abstracts, Vol. 8, p. 387; from Virginia, Board of Trade, Vol. 9, O. 136.



The new seals bore different arms from those used on the earlier seals of Queen Anne's reign. In 1707 England and Scotland were united, and on this account Queen Anne changed the original quarterings to first and fourth, England impaling Scotland; second, France; third, Ireland. The new seal was four inches in diameter and about a half inch in thickness, requiring a large quantity of wax and being exceedingly heavy.

Spotswood, who was then governor, found it unsuitable for use on all documents not written on parchment, and we find him writing on July 21, 1714, requesting permission to use a lesser seal, or signet:

"July 21, 1714.

"To the L'ds Comm'rs of Trade:

My Lords:

. . . It was but the beginning of last month that I received the new Seal appointed for this Colony, with her Majesty's Warrant for using thereof. I have, pursuant to her Majesty's Commands, caused the former Seal to be broke, and now send it by this Conveyance, but as there are many things by particular Act of Assembly appointed to pass under ye Seal of the Colony, for which the fees are very inconsiderable, and are therefore writ on paper, to which this Seal cannot be affixed without the danger of tearing off in a short time. It were to be wish'd that her Majesty would be pleased to allow a lesser Seal or Signet to be used for the matters of small Consequence, w'ch would be less chargeable to ye Secretary y't keeps it, and more proportioned to ye present fees, w'ch the People will be very unwillingly brought to increase. . . . " <sup>33</sup>

The Queen evidently did not comply with his request, for we find him writing again on May 24, 1716, reiterating the same complaint to the new King. This time he probably met with success, for we find specimens of the "crown" seal, or signet, from 1719 to the Revolution. The following is Spotswood's second request:

"May 24, 1716.

"To the Lords Com'rs of Trade:

My Lords:

. . . I lay hold on this opportunity by Dr. William Cocke, his Majesty's Secretary of this Colony, to transmit to yo'r Lord'ps the Journals of Council, as far as they have been examined at ye Board, according to ye Rule lately established. . . . This Gentleman will inform y'r Lo'ps how improper the Seal appointed by her late Maj'tie is for the business of this country. Abundance of things pass under it, for which the fees appointed by law do not exceed 20d. apiece, scarce enough to pay for the Wax required for a Seal little less than the great Seal of England; besides y't the patents and other public Instruments here are generally writ upon paper, and are easily torn by such a load of Wax seal'd thereto, so that I hope when his Maj'tie is pleased to direct another Seal for this Colony it will be such as is more suited to ye Circumstances of ye Country. . . . " <sup>34</sup>

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<sup>33</sup> Official Letters of A. Spotswood, V. 2, p. 70-72.

<sup>34</sup> Official Letters of A. Spotswood, V. 2, p. 163



ILLUSTRATION No. 11.  
See bottom of page 28.



ILLUSTRATION No. 12.  
See bottom of page 33.

ILLUSTRATION No. 12  
See page 34, fourth paragraph.



ILLUSTRATION No. 14.  
See top of page 39.

The illustration of the "crown" seal given (No. 8) is from a photograph of a seal pendent from a warrant appointing several persons justices, signed by Alex. Spotswood at Williamsburg, Feb'y 9, 1719, and now in the Virginia Historical Society Library.

From now on we find the great seals to be all of the large, heavy design introduced by Queen Anne, and these were used on the more important documents of state, and the "crown" seal, or signet, was used on all other documents.

King George the First succeeded to the throne on Oct. 20, 1714, and on the following 27th of June a warrant was issued to John Roos to prepare new seals, as follows:

"St. James, June 17, 1715.

"The King's warrant to John Roos, gentleman, engraver of our seals, forthwith to prepare new Seals for our Province of New Hampshire, Mass: Bay, New York, Virginia, etc., according to such directions as he shall receive in that behalf from our Commissioners for Trade and Plantations." <sup>35</sup>

"Whitehall, July 20, 1715.

"Warrant of the Lords of Trade to John Roos his Majesty's Seal Cutter to prepare new Seals for his Majesty's Plantations in America in pursuance of his Majesty's Order in Council of 17 June, 1715. The Seal for Virginia is thus described:—Virginia. On the one side his Majesty's Effigies, with an Indian on his knee, presenting tobacco to him, this inscription being under the said effigies *En dat Virginia Quartam*, with this inscription round the circumference *Sigillum Provinciæ de Virginia in America*. The other side of the said seal the King's Arms, Garter, Crown, Supporters and Motto, with the inscription round the circumference *Georgius Dei Gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex, Fid:Defensor.*" <sup>36</sup>

The seal of George I is almost identical with that of Queen Anne, except that it is an inch larger in diameter and that the Indian kneels to a King instead of to a Queen in the obverse, and the arms of Queen Anne in the reverse give place to those of George First as follows: Quarterly, 1st England impaling Scotland; 2nd France; 3rd Ireland; 4th gu. two lions pass. guard. in pale or for Brunswick impaling or semi of hearts gu. a Lion ramp. az. for Lunenburg; on a point in point gu. a horse courant ac. for Saxony; on the centre of the 4th quarter an escutcheon gu. charged with the crown of Chalemagne or as the Arch Treasurr of the Holy Roman Empire. This same coat of arms was used also by George II but not by George III.

The accompanying illustration (No. 9) is from a photograph of a specimen (detached) now in the Virginia Historical Society Library. There are six acts to which the great seal of the Colony is still attached, these being dated from 1720 to 1722, reign of George I.

The significance of the seal is hardly appreciated in these days when education is universal, but in the days of our forefathers it was clothed round about with an atmosphere of awe and authority which lent it a deep interest. An

<sup>35</sup> Sainsbury, Vol. 3, p. 440: from *Plant. Genl.*, B. T. Vol. 34, p. 73.

<sup>36</sup> Sainsbury Abstracts, Vol. 3, p. 450: from *Plant. Genl.* B. T. Vol. 34, pp. 76-79.

incident occurred during Gov. Spotswood's administration which shows him in quite a quandary. The following is an abstract from one of his letters:

"October 24, 1715.

To Mr. Secretary Stanhope:

S<sup>r</sup>:

. . . Some days ago the Chief men of the Indians, who formerly sent in to sue for Peace, came back according to their appointment, but not bringing with them the Chief of several of their neighboring Towns they had promised, I have sent them back without coming to any Treaty. They excuse the absence of the other Indians, upon their doubting the reality of my passport, as being under a different Seal from that w<sup>ch</sup> they had been accustom'd to see from this Colony, but assur'd me that if they were fully satisfied of my sending to 'em, they would immediately repair hither. Whereupon, I, to remove their Scruples, having by me blanks with the Inscription of the old Seal upon it, I have sent it, and am not without hopes of bringing them to a Treaty. In the meantime, I have agreed with the Indians who came hither that while they continue to behave themselves peaceably towards all his Maj<sup>ty</sup>'s subjects of these Colonys they shall not be disturbed from hence, but that they are not to expect any Trade until a Peace be concluded, which I hope will not be long before it is accomplished, their necessitys of all manner of goods being very great. . . . " 37

John Roos took the usual length of time to prepare the new seals, and it was not until Oct. 4, 1717, that the Lords of Trade informed Sec'y. Addison that they were ready for transmission. On October 24 Capt. Constantine Cant receipts for the box containing the seal for Virginia, which he engages to deliver, and on the 27th of the following February Gov. Spotswood, who has been in New York and has just returned, acknowledges its receipt. See following papers:

"Whitehall, Oct. 4, 1717.

"Lords of Trade to Secretary Addison—In obedience to his Maj. Order in Council of 17 June, 1715, have caused new Seals to be prepared for the public use of all his Maj. Plantations in America and transmit said Seals together with Draughts of Warrants for his Maj. signature directing said Seals to be made use of in each of his said Gov<sup>ts</sup>. respectively." 38

"Hampton Court, Oct. 8, 1717.

"The King's warrant to Alexander Spotswood, his Maj. Lieut. Gov. of Virginia, authorizing him to affix the (new) Seal to all Patents and Grants of Land and all public Acts and instruments of Government made and passed in his Maj. name 'which seal is engraved on the one side with our Royal Effigies and an Indian on his knee presenting tobacco unto us, this inscription being under our said effigies En dat Virginia Quartam and this other inscription round the circumference Sigillum Provinciæ de Virginia in America, on the other side of said seal Our Arms, garter, crown, supporters and motto with our titles round the circumference.'" 39

<sup>37</sup> Official Letters of A. Spotswood, V. 2, p. 131.

<sup>38</sup> Sainsbury, Vol. 3, p. 647; from Plant. Genl. B. T. Vol. 34, p. 138.

<sup>39</sup> Sainsbury. Abstracts. Vol. 3. p. 649; from Va. B. T., Vol. 37, p. 1-2.

"Whitehall, Oct. 11, 1717.

"Lords of Trade to Governor of Virginia—circular letter. His Maj. having signed an additional instruction to him relating to the not passing Acts which may affect the trade and shipping of this Kingdom—also a warrant for his using a new Seal—their Lordships herewith transmit the said instruction, Warrant and Seal." 40

"Received the 24th October 1717 of the Right Hon'ble, the Lords Commissioners of Trade & Plantations, one Box directed for his Majesty's special service to the Hon'ble Alexander Spotswood Esq. His Majesty's Leif't. Governor of Virginia &c. which I promise to deliver to the said Alexander Spotswood, Esq., (the Danger of ye Seas excepted). Witness my hand.

CONSTANTINE CANT."

"Feb'y ye 27, 1717 [1718].

"To the Lords of Trade:

My Lords:

. . . I shall also by the next safe Conveyance, send home the Old Seal, w'ch, pursu't to his Majesty's Warrant, has been defaced in Council, and shall lay his Majestys Instruction concerning the passing of Laws before ye next Assembly. . . . " 41

The fees for affixing the seal were a constant source of trouble in the colonies, arousing much complaint and petty jealousies, and in more than one instance causing petitions to be made to the King asking redress of the wrongs. In no instance, however, do we find such a petition granted, but we do find more than one case where the petitioners lost their positions with the government or were otherwise punished for their impertinence (?). Most of these troubles occurred during Lord Effingham's administration, but we find others in the first quarter of the 18th Century. On January 22, 1726-7, John Carter wrote to the Duke of Newcastle enclosing a "State of his office as Secretary of Virginia" and begging his grace's favorable recommendation to His Majesty, so that he may obtain all the privileges and perquisites enjoyed by former secretaries. "The fees for the Seal were paid to the Secretary until Col. Spotswood took them from Dr. Cocke, then Secretary, but gave them to him again as physician to his family,—they were then given to Dr. Brown and by Maj. Drysdale to Dr. Blair." 42

On June 10, 1727, George I died and his son succeeded to the throne as George II. On Aug. 22, 1727, the Earl of Orkney was commissioned Lieutenant and Governor Gen'l of Virginia, and on Oct. 6 warrants were issued to Mr. Rollos (who had succeeded John Roos as seal cutter) to prepare new seals for all the American colonies. The following abstracts give the history in detail:

"Whitehall, Aug. 22, 1727.

"Journal B. T. & Plant. The Secretary laid before the Board the draft of

\* Sainsbury Abstracts, Vol. 3. p. 650; from Plant. Genl. B. T. Vol. 34, p. 141.

"B. of T. Virginia 15 p. 162, and Official Letters of A. Spottswood, Vol. 2. pp. 261-265.

"Sainsbury Abstracts, Vol. 9, p. 268; from Amer. & W. I., Vol. 16, p. 50.

a commission appointing the Earl of Orkney Lieutenant and Governor Genl. of Virginia.

Ordered that a draft of a representation be prepared proposing new seals to be cut for all his Majesties Plantations in America." <sup>43</sup>

"Whitehall, Oct. 6, 1727.

"Journal of the Board of Trade and Plantations, Mr. Rollos his Maj. seal cutter attending, presented to the Board a warrant dated 2nd inst. requiring him to receive the Board's directions for cutting the new seals to be used in his Maj. Governments in America, which was read. Whereupon—Ordered that the same be entered and that a draft of a warrant be drawn up for preparing new seals for Barbadoes (other plantations named) and Virginia." <sup>44</sup>

"Whitehall, Aug. 26, 1729.

"Journal of the Board of Trade and Plantations. An Order in Council of 18th inst. was read, requiring this Board to prepare draughts of warrants to be sent with the new seals for Barbadoes, Jamaica, Virginia, and Carolina for empowering the Governors or Commanders in Chief of those Colonies to use the said seals, and directions given for preparing the draughts of warrants accordingly. Said warrants being signed by His Majesty, circular letters to the Governors transmitting same were agreed to and signed." <sup>45</sup>

"Virginia, May 29, 1730.

"Lieut. Gov. Gooch to Lords of Trade. Has received their letter of 6 Nov. with the new seal and returns old one. Is preparing an answer to the queries. . . ." <sup>46</sup>

The accompanying illustration (No. 10) is from photograph of seal of George II found in the British Museum appended by red tape to a paper referred to as additional charter 1810. (See Catalog of Seals, No. 14728.) This paper is described in the Catalog as follows:—"Copy of Petition of (Thomas) Lord Fairfax to Sir William Gooch Bart. Lieut. Governor of the Colony of Virginia and the members of His Majesties Council in that Colony touching certain quit-rents claimed by the said Lord Fairfax as due to grant made by the Crown of lands within the Petitioners boundaries. To which is appended the opinion of the Board that Lord Fairfax had no right to the said Quitrents. Dated at the Governors House, 29 April, 1747."

Data relative to the seals of the period of George III are exceedingly scarce and not one specimen have I been able to obtain, with the exception of photographs seemingly of a drawing, which photographs were prepared by Thomas H. Wynne, State Librarian of Virginia, about the middle of the Nineteenth Century. (See accompanying illustration No. 11.) These photographs give the coat of arms which had been used by George II and which, according to Burke's Arm-

<sup>43</sup> Sainsbury Abstracts, Vol. 9, p. 335; from Trade Papers, Vol. 31, pp. 186, 189, 191, 194, 195, 220.

<sup>44</sup> Sainsbury Abstracts, Vol. 9, p. 355; from Trade Papers, Vol. 31, p. 228.

<sup>45</sup> Sainsbury Abstracts, Vol. 9, p. 472; from Trade Papers, Vol. 33, pp. 223, 274.

<sup>46</sup> Sainsbury Abstracts, Vol. 9, p. 488; from Va. B. T., Vol. 15, R. 147.

ory, is incorrect for George III, whose Coat of Arms is therein described as follows: Quarterly 1st and 4th England, Viz: gu. three lions pass. guard or; 2nd, Scotland, or, a lion ramp. gu. within a double treasure flory Counterflory of the last; 3rd Ireland az. a harp or stringed ar. for his Majs. Hanoverian Dominions, on an escutcheon of pretense, ensigned with an Electoral Bonnet gu, two lions pass. guard, in pale or for Brunswick; impaling, or semée of hearts gu. a lion ramp. az. Lunenburg; on a point in point gu. a horse courant arg. over rugged ground vert, for Hanover; in the centre, on an inescutcheon gu. the crown of Charlemange ppr. being the badge of the office of Arch Treasurer of the Holy Roman Empire. It seems remarkable that the Georges, who seemed to put everything possible on their coats of arms, should never have placed Virginia in their quarterings.

In the Public Record Office we find among the Va. Board of Trade papers the following documents:

"October 27, 1760.

"Representation of the Board of Trade to the King submitting warrants authorizing the use of the respective public Seals in the plantations till others shall be sent over."

In the "New Jersey Archives", Vol. 14, p. 239, is one of these warrants (that for New Jersey).

Again, on November 4, 1760, there is a communication of the Board of Trade to the King, requesting new seals for the provinces.

On Dec. 2, 1760, instructions from John Pownall, Sect'y. to the Board, were sent to Mr. Major, chief engraver, as follows:

"In all the said Draughts you are to follow this general Rule, besides the particular Directions respecting the Seal of each Colony, that His Majesty's particular Arms and foreign Titles be inserted as in the Great Seal of this Kingdom, in order to which you are to use your Discretion in contracting the Words. The particular Directions for the Draught of the Seal for each Colony are as follow:

#### VIRGINIA.

On the one Side His Majesty's Effigies with an Indian, on his Knee presenting Tobacco to Him, this Inscription being under the said Effigies, En dat Virginia Quartum, with this inscription round the Circumference, Sigillum Provinciæ nostræ de Virginia in America. On the other side of the said Seal, the King's Arms, Garter, Crown, Supporters and Motto with this Inscription round the Circumference Georgius tertius Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex, Fidei Defensor, Brunsvici Lunaburgi Dux, Sacri Romani Imperii Archithesaurarius et Elector." <sup>47</sup>

Ordinarily the engraver took from one to two years to complete a set of seals for the Colonies, but in this instance nearly seven years elapsed before the seals were ready, and the order of Council approving "14 new seals" was dated April 13, 1767.

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<sup>47</sup> Board of Trade Plant's. Gen'l., Vol. 45, p. 36.

The following is the order:

"Order in Council approving fourteen Seals for the several Colonies in America, and directing Secretary of State, Earl of Shelburne, to transmit the same to the Governors.

(L. S.) AT THE COURT AT ST. JAMES'S THE 13th DAY OF APRIL 1767.

PRESENT.

The King's Most Excellent Majesty in Council.

His Majesty in Council having this Day approved of fourteen new Seals for the following Islands and provinces in America, (viz.)

Jamaica	New Hampshire
Barbadoes	New Jersey
Leward Islands	New York
Bahama Islands	Virginia
Bermuda Islands	North Carolina
Nova Scotia	South Carolina
Massachusetts Bay	Georgia

Is hereby pleased to Order That the Right Honorable the Earl of Shelburne, one of His Majesty's Principal Secretaries of State do Cause Warrants to be prepared for his Royal Signature, for Transmitting the said Seals to the Governor of the said Islands and provinces, empowering them to make use thereof, and his Majestys said principal Secretary of State is hereby further Ordered, to Cause the said Warrants and New Seals, to be transmitted accordingly. And to require the said Governors respectively to Return the Old Seals to the Council Office at Whitehall, in Order to their being Defaced by His Majesty at this Board.

W. BLAIR." 48

On Nov. 24, 1767, Lt. Gov. Fauquier wrote to Lord Shelburne acknowledging letter of 11 July *and the new seal*. This was the last seal used by Virginia as a colony of Great Britain. Nine years later we find her throwing off her allegiance to the tyrant and selecting a seal emblematic of the liberty she was fighting for and which she ultimately obtained.

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<sup>48</sup> New Jersey Archives, First Series, Vol. IX, pp. 618-619; P. R. O. America and West Indies, Vol. 106.



## PART II.

## Period of Statehood.

As the various quarterings on the arms of private families often depict by heraldic symbols great deeds performed, so the great seal of a commonwealth should not only be the symbol of sovereignty, but should be a faithful reflection of the great principles which are the foundation of the state's very existence, and an expositor of the science, literature, history and art of its period. It should be a great picture of the noble impulses and truths of the commonwealth's life reduced to a miniature, yet clear and precise in detail. In other words, it should be the *multum in parvo*. Such is the seal of Virginia. The importance of the great seal of the Commonwealth, as an emblem of sovereignty and an evidence of high political functions, was appreciated by the Convention of 1776, and it appointed a committee composed of some of the greatest minds of the day to prepare the design for the seal. The committee consisted of Richard Henry Lee, George Mason, Mr. Treasurer [Robert Carter Nicholas] and George Wythe. The following is an abstract from the minutes of the Virginia convention of Friday, July 5, 1776:

. . . "Mr. George Mason, from the committee appointed to devise a proper seal for this Commonwealth, reported that the committee had accordingly prepared the following device thereof; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to.

## TO BE ENGRAVED ON THE GREAT SEAL.

VIRTUS, the genius of the Commonwealth, dressed like an Amazon, resting on a spear with one hand, and holding a sword in the other, and treading on TYRANNY, represented by a man prostrate, a crown fallen from his head, a broken chain in his left hand, and a scourge in his right.

In the exergon, the word VIRGINIA over the head of VIRTUS: and underneath the words *Sic Semper Tyrannis*.

On the reverse, a groupe.

LIBERTAS, with her wand and pileus.

On one side of her CERES, with the cornucopia in one hand, and an ear of wheat in the other.

On the other side AETERNITAS, with the globe and phoenix.

In the exergon, these words:

## DEUS NOBIS HAEC OTIA FECIT.

Resolved, that George Wythe, and John Page, Esquires, be desired to superintend the engraving the said seal, and to take care that the same be properly executed. . . . "

The authorship of the design has been a disputed point among historians for many years. Col. Sherwin McRae, in his report to the Governor on the State seal, made Feb. 25, 1884, gives the credit to George Mason, emphasizing particu-

larly the fact that the description could have been written by no other hand than that which wrote the Declaration of Rights. I can find no grounds whatever for this view except the fact that George Mason made the report of the committee to the Convention.

The description which has excited Col. McRae's admiration was so lacking in clearness, and such confusion took place thereby in the designing of the seal at later times that the General Assembly passed an Act in 1873 and again in 1903 describing the seal with greater minuteness in order to overcome this difficulty.

On the other hand, the facts as stated in Geo. W. Munford's note in the Code of Virginia, 1873, p. 122, seems to offer a stronger claim for the authorship by George Wythe than any that has ever been advanced for Mason. He says: "The late Wm. Munford, who was a pupil of Chancellor Wythe and lived in his house for several years, studied law under his guidance and direction, was in habits of great intimacy with him to the day of his death and delivered the eulogy at his funeral in 1806, stated repeatedly and implicitly to the editor that Mr. Wythe always claimed the paternity of the Seal, and the Convention, who knew to whom the honor belonged, appointed Mr. Wythe, and Mr. Jno. Page, the first as the man who designed it, to superintend the engraving and take care that it should be properly executed."

The Committee received suggestions and help from such distinguished men as Benj. Franklin, Thos. Jefferson, Benj. West, the famous artist, and the then well-known engraver de Cimetiere. The following is the idea offered by Dr. Franklin as a design for the seal of Virginia:

MOSES—standing on the shore and extending his hand over the sea, thereby causing the same to overwhelm Pharaoh, who is sitting on an open chariot, a crown on his head, and a sword in his hand. Rays, from a pillow of fire in the clouds, reaching to Moses, to express that he acts by the command of the Deity.

Motto—Rebellion to Tyrants, in obedience to God.

Dr. Franklin, who was on July 4, 1776, appointed by the Continental Congress to serve on a committee with Mr. J. Adams and Mr. Jefferson "to prepare a device for a Seal of the United States of North America", offered the same scheme for the reverse of the U. S. seal and the Committee reported favorably on it, but it did not meet with the approval of Congress and was not adopted.

The coat of arms for Virginia as devised by M. de Cimetiere of Philadelphia, was as follows:

FIELD—a cross of St. George (as a remnant of the ancient Coat of Arms, showing the origin of the Virginians to be English) having in the center a sharp pointed knife, in pale, blae argent, handle or, alluding to the name the Indians have given to that state.

In the first quarter, a tobacco plant fleury, proper.

In the second argent, two wheat sheafs in saltor, proper.

In the third argent, a stalk of Indian corn, full ripe, proper.

In the fourth vert, four fasces waved argent, alluding to the 4 great rivers of Virginia.

N. B. The pieces contained in the above, may very well admit of a different disposition, if thought necessary, and more emblematical or heraldical.



ILLUSTRATION No. 15.

See top of page 39.



ILLUSTRATION No. 16.

See middle of page 39.



ILLUSTRATION No. 17.

See top of page 40.

**SUPPORTERS**—Dexter, a figure dressed as in the time of Queen Elizabeth, representing Sir Walter Rawleigh, planting with his right hand the standard of Liberty, with the words of Magna Charta written on it, and with his left supporting the escutcheon.

**SINISTER**—A Virginian rifleman of the present times, completely accoutred.

**CREST**—The crest of the ancient arms of Virginia—the breast of a Virgin naked, and crowned with an antique crown, alluding to Queen Elizabeth, in whose reign the country was discovered.

Motto—Rebellion to Tyrants in obedience to God; or *Rex est qui regem non habet*. (Suggested by Mr. Jefferson.)

Another interesting design which there is no reason to suppose ever came before the Committee is that which appeared as a heading for the Virginia Gazette during the months of May and June, 1776. It consisted of the heading "Thirteen United Colonies—United we stand, Divided we fall," below which was the following coat of arms:

On a shield a coiled, rattle snake with head in dexter chief and tail in sinister base.

**SUPPORTERS**: Dexter—a bear rampant, with collar around neck and loose flowing rope attached to the collar;

**SINISTER**, a deer rampant.

Back of the bear is a stalk of growing corn, and back of the deer is a growing plant of tobacco.

The **CREST** consists of a knight's helmet surmounted by a wreath upon which is a demi virgin queen crowned with an ancient crown. Underneath is the motto: "Don't tread on me."

On July 20th, Mr. John Page wrote thus to Mr. Thomas Jefferson:

"We are very much at a loss here, for an engraver to make our seal. Mr. Wythe and myself have, therefore, thought it proper to apply to you to assist in this business. Can you get the work done in Philadelphia? If you can, we must get the favor of you to have it done immediately. The enclosed will be all the directions you will require. The engraver may want to know the size. This you may determine; unless Mr. Wythe should direct the dimensions. He may also be at a loss for a *Virtus* and *Libertas*; but you may refer him to Spence's *Polymetis*, which must be in some Library in Philadelphia."

Spence's *Polymetis* referred to above was and is one of the best authorities describing Greek and Roman characters. It was published many years before this period, and the wood cuts used, though accurate in general and engraved with classical simplicity, were some of them poorly executed and as compared with our present standards of engraving.

The accompanying illustration (No. 12) is from a photograph of the cut representing "Virtus" or "Fortitudo" appearing in Spence's *Polymetis*.

"Virtus is a Roman goddess, dressed either in a flowing white robe, or like an Amazon, holding in the left hand a peculiar sword, called a *parazonium*, sheathed and inverted, or point upward and not pendant, worn as a badge of honor, and not as a weapon of attack or defence. The right hand resting on a spear point downward and touching the earth; her head erect and face upturned; her foot on the globe—the world at her feet; posture indicating proud

consciousness of victory—conquest completed. Such is the Roman Virtus and such the Virtus of the seal, substituting *Tyranny* for the *globe*, and especially prescribing the *dress* of the *Amazon* for Virtus.\*

The significance of the entire seal depends on the significance of Virtus: fortitude, courage, and even more—virtue and abstinence, as opposed to the goddess Voluptas, but, above all, courage, that chief of Roman virtues, the foundation of the Roman Empire. "Rome, ever sustained by Virtus, the type of courage, commanded victory by not admitting the possibility of defeat." "As by the theory of Rome, it was her *destiny* to accomplish everything which she undertook, she is represented not in progression, but at the time of completion: not in action, but as having finished her work." This is the significance of Virtus as understood by Wythe, himself a classical scholar, and by the committee who reported the device to the Convention of 1776. This fact is further emphasized by the motto on the reverse side of the seal: "Deus Nobis Haec Otia Fecit," God has given us this ease.

The desire of the Committee to use the Polymetis as a standard, as voiced in John Page's letter to Mr. Jefferson quoted above, was not followed, as is only too evident from the seal itself, which was made in Philadelphia and forwarded to Virginia in 1778. The figure of Virtus resembles that of a Turk with a *drawn* sword in her *right* hand and a spear, point upward, in her left. The tyrant, bearing a resemblance to George III, seems to be struggling to rise, and the whole beauty of the classical idea is destroyed. Virtus, the calm, the unconquerable, gives place to a belligerent Amazon or Turk, with victory still in the balance.

The accompanying illustration (No. 13), taken from a document in the Virginia State Library, is that of the first, or emergency, seal, engraved in Philadelphia.

In the office of the President of the University of Virginia there hangs framed a commission to John Alexander (and others) as Justices of the Peace for the County of Loudon, signed by Thos. Jefferson, dated Mar. 13, 1781, bearing a good specimen of this seal. There are other specimens on the credentials of Virginia senators on file in the United States Senate document room.

Judging from the following extract from Zieber's *Heraldry in America*, 1895, pages 159-160, the work on the first seal was done by Pierre Eugene de Cimitiere:

"In the office of the Honorable Henry C. Kelsey, Secretary of the State, at Trenton, is the silver seal designed by [Pierre Eugene] Du Simitiere, and with it the carefully preserved report of the 6th of September, 1776. Upon a comparison of the two it will be seen at a glance that the artist deviated from the wording of the report. From his note-book it is learned that he drew the design in India ink during October, 1776, *having finished the Great Seal of Virginia in August* and preparing for the artistic execution of the seals of Georgia and Delaware, which he finished in November, 1776, and January, 1777, respectively. . . ."

The date of the completion of the seal for Virginia as given in the above abstract is evidently incorrect, for we find Mr. Page complaining of the delay in the following letter to the Speaker of the House:

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\*Sherwin McRae's "Report on The State Seal," p. 5.

"Palace, Oct'r. 7th, 1776.

"Hon'ble Sir:

As Mr. Wythe and myself who were appointed by the late hon'ble Convention to superintend the engraving of the Seal of the Commonwealth and to take care that the same should be properly executed, finding it impracticable to procure an Engraver in this State, those who were in any manner qualified for such an undertaking being engaged in engraving Plates for the paper Money, have been under the necessity of employing proper Persons to execute this Business in Philadelphia. I have been informed by Mr. Jefferson whom I applied to, to engage Artists qualified for the work, that he had employ'd such as were excellent and that the work must be in great Forwardness but, that from the Nature of it, it will be sometime before it can be completed. I expect to have a particular account of the State of this Business from Mr. Wythe by the next Post, I thought it my Duty Sir, to lay this short account of the unavoidable Delay of this important Business before you that the House may take such steps to remedy the Inconvenience arising from the want of the Seal, as they may judge proper. I have the honor to be Sir,

Your Mo. Obed't. h'ble. Serv't.,

JOHN PAGE.

The Hon'ble

The Speaker of the  
House of Delegates." 49

In accordance with the suggestions in the above letter the General Assembly enacted the following:

"I. WHEREAS, by an ordinance of convention, it is declared that all commissions shall run in the name of the commonwealth of Virginia, and bear teste by the Governour with the seal of the commonwealth annexed, and certain persons were directed to provide the said seal, but, from unavoidable delays, they have not been able to execute the same; and whereas, in some instances, of great and pressing necessity, the governor, with advice of the council, hath already granted commissions, the validity of which may be drawn into question, to remedy which inconveniences, it is necessary that some provision should now be made.

"II. Be it therefore enacted by the General Assembly of the commonwealth of Virginia, and it is hereby enacted by the authority of the same, That the Governour, with the advice of council, shall have full power and authority henceforth to issue commissions under his signature, without any seal, until the seal of this commonwealth shall be provided, as by the said ordinance is directed; and that all commissions heretofore granted, or which may be hereafter so granted, shall be as efficacious and valid, to all intents and purposes, as if the same had issued according to the above recited ordinance." 50

In 1777, Gov. Patrick Henry appointed William Lee (brother of Richard Henry Lee and Arthur Lee) an agent of Virginia to France to obtain arms and ammunition, or a loan of 2,000,000 livres to purchase the same. There was no seal to authenticate his credentials, and the delay in obtaining the seal ordered

<sup>49</sup> Va. Mag. of Hist. and Biog., Vol. 17, p. 226.

<sup>50</sup> Henings Statutes at Large, IX, p. 211.

in Philadelphia was the source of considerable annoyance. In 1778, however, the seal was delivered, and Gov. Henry forwarded William Lee his commission under the new seal on April 10th, the receipt of which was acknowledged by Arthur Lee in a letter to Gov. Henry dated Paris, June 15, 1778.

The following is an extract from a letter from William Lee to Gov. Jefferson, dated Frankfort, Sept. 24:

"Sir:

"His Excellency Gov. Henry, was pleased in 1777, with the advice of the Council, to appoint me Agent to France, for the State of Virginia and in 1778, by the same authority, he sent me a power under the *State Seal*, to obtain Arms, Artillery, Ammunition etc. of his most X-tian majesty, ministers, or any other persons to the amount of 2,000,000 of livres—or to borrow money to that amount to purchase these articles with . . . " 51

This seal, which had been procured for use in this emergency, was the obverse of the great seal, and was small, being about the size of our present lesser seal. As before mentioned, it was incorrect in design and not at all in accordance with the idea as set out in the *Polymetis*. This small seal was of course not sufficient for permanent use, and John Page proceeded to take steps to obtain a proper great seal. When he discovered that it was impossible to have the great seal satisfactorily engraved in America, he persuaded Arthur Lee, who was then in Paris on business of state, to employ a competent engraver in Europe to do the work. Arthur Lee made a few initial inquiries and wrote John Page as follows:

"Paris, May 27, 1778.

"The great seal I have also enquired about. But they asked here from 100 to 150 louis d'ors for making it in steel. I have written to London to know what would be the price, as this seems exorbitant. As soon as I am satisfied it is not so, I shall put it in hand."

Unfortunately, the incorrect design of the first seal had its bad influence, and in sending instructions to Arthur Lee a description of the former seal was given, instead of a description of the design described by law. Thus the original mistakes were repeated and appeared in the seals for many years to come.

The following letter from William Lee to Arthur Lee gives this incorrect description:

"Frankfort, 8 Oct. 1778.

"Dear brother:

I wrote to you the 4th and yesterday I received yours of the 1st. I forgot to mention that directions were given to Mr. Sauvage, orfèvre a l'ainean blanc, quai des orfèvres, pont neuf, to make his estimate for a small portable vice; as well as the Seal for the State of Virginia; but on reflection I think the vice will be unnecessary, because they must have had something of this sort to use their former seal with; therefore all that is now wanted will be the two silver pieces properly engraved to make the proper impression on each side of the wax.

This can't cost near what you talked of, nor can it be difficult to execute. Let me know if you can have it done in Paris, if not I will have it done in Holland.

<sup>51</sup> Calendar of Va. State Papers, Vol. I, p. 328.

Design of a Great seal for a State. On one side of the seal the impression should be Virtue, the Genius of the state, dressed as an Amazon, resting on a spear with her left hand, and holding a drawn sword in her right hand, with Tyranny under her feet, a crown falling from his head, holding a broken chain in his left hand and a sceptre in his right hand.

In the exergue the word 'Virginia' over the head of Virtue, and below the words

'Sic Semper Tyrannis.'

On the opposite side of the seal should be Liberty holding a spear in her right hand, with a cap at the end of the spear. On one side of Liberty should be the goddess Ceres, with her horn of plenty in her left hand and an olive branch in her right hand. On the other side of Liberty should be Eternity with a globe in her left hand and a phoenix in her right.

In the exergue the words

'Deus Nobis, Haec Otia Fecit.'"<sup>52</sup>

The reader will note the belligerent Amazon with *drawn sword* in *right* hand and spear in *left*, a crown *falling* from head of tyrant, etc. The words in italics when compared with those given in the law will show the changes.

A year later, on Oct. 4, 1779, the General Assembly passed an act authorizing the Governor to procure a great seal for the State in accordance with the resolution of the Convention of 1776, save only that the motto on the reverse be changed to "Perseverando". By this same act the first, or emergency, seal was adopted as the lesser seal.

Thus we have the seal, which was being engraved in Paris under the instructions of Arthur Lee, supposedly legalized; yet in strict accordance with this act it was not legal, because this Paris seal did not agree in the main particulars with the descriptions as given in the resolution passed by the Convention of 1776 (one of the requirements of the act). On the other hand, we find the Assembly changing the motto from "Deus Nobis Haec Otia Fecit" to "Perseverando"—the latter decidedly in keeping with the design of the "belligerent" Amazon who has only half conquered her tyrant and should persevere to the end.

It would seem from this change of motto that the constant use of the incorrect seal had had its influence on the General Assembly and that they had either never known or had lost the pure classical idea which inspired Wythe and the other members of the Committee. This is to be particularly regretted, inasmuch as though the design of the seal was corrected during the administration of Governor Cameron, the motto was not changed to correspond.

The following is the act of 1779:

"An act for providing a great seal for the commonwealth, and directing the lesser seal of the commonwealth to be affixed to all grants for land, and to commissioners, civil and military. Oct. 4, 1779.

<sup>52</sup> See Letters of Wm. Lee, by Ford, 1891, p. 482-3. The following appears as a foot-note on page 483:

Indorsed on the original design of the great seal, the following names:

Leonard, graveur a la monie on Au Galerie du Louvre.

Lorthior, rue de la Monie.

Gammot, vis-a-vis Sainte Chapelle, Cour du Palais.

Sauvage orfevre, Qual des orfèvres.



"I. Be it enacted by the General Assembly, That the Governour, with the advice of the council, be empowered, and he is hereby required, to provide, at the publick charge, a great seal for the commonwealth, and to procure the same to be engraved, either in America or Europe, with the same device as was directed by the resolution of convention, in the year one thousand seven hundred and seventy six; save only that the motto on the reverse be changed to the word PERSEVERANDO.

11. And be it farther enacted, That the seal which hath been already provided by virtue of the said resolution of convention, be henceforward called the lesser seal of the commonwealth, and that the said lesser seal be affixed to all grants for lands, and to all commissions, civil and military, signed by the Governour: Provided nevertheless, That all such commissions heretofore signed and issued, without affixing the seal, shall be good and valid." 53

Unfortunately I have been unable to obtain a specimen of the great seal prior to 1819. This would make no difference if it were true as stated by several former writers that no new seal was made until 1856; but this statement is incorrect, and was evidently based on the fact that no act authorizing a new seal appears until that date. The fact is, however, that new seals, both great and lesser, were made in 1809. Sufficient proof of this will be found in the Governor's letter-book of Aug. 1809, on file in the Virginia State Library, from which the following letter is copied:

"John Carter to the Governor.

"Richmond, Aug. 1, 1809.

"Supposing that it will be in my power to finish the reverse of the Great Seal of the Commonwealth by the 15th inst. I take the liberty to enclose the Honorable Executive a plan for a screw press. As I suppose it would be desirable with them to have the press as early as possible after the seals are completed, I would advise that it be made at the Armory, by which means it will be more expeditiously executed, and probably in a much neater manner than by Mr. Todd, who offered to undertake its execution a short time since."

I am &c."

Some very good specimens of the lesser seal engraved by Jno. Carter will be found among the records of the United States Senate on the credentials of the senators from Virginia as follows:

Jan. 15, 1811, credentials of Wm. B. Giles, signed by Jno. Tyler; Feb. 24, 1823, credentials of John Taylor, signed by James Pleasants.

The next two are in the Virginia State Library:

Dec. 17, 1822, on commission of William Madison as major general of the second division of the militia of the Commonwealth, signed by James Pleasants, Jr. (poor impression); June 10, 1822, on grant of land to Capt. Wm. Wash, signed by Thos. M. Randolph, Governor (good impression).

Specimens of the great seal are found on the following:

Dec. 30, 1822, credentials of Jno. Taylor, signed by James Pleasants (in the

\*It seems altogether probable that the new seal here referred to was merely a reproduction of the old one, no change in the design having been made.—Ed.

<sup>53</sup> Hening, X., p. 131-132.

United States Senate record room); Apr. 7, 1819, certificate of James Rochelle, clerk of Superior Court of Southampton Co., signed by Governor Jas. P. Preston (excellent impression—in Va. State Library). (See illustration No. 14.)

For many years these seals were used, and it was not until 1856 that the steel dies had become so worn that it became necessary to make new ones. The distinguished sculptor, Alexander Galt,<sup>54</sup> was employed to design the new seals. He used as a basis for his designs a set of drawings which were then among the State archives and which are now in the Virginia State Library. These drawings are folded in a paper wrapper upon which is the following notation: "Drawings for the Great Seal of State, said to have been made by the Celebrated Benjamin West. Aug. 23, 1856." (See illustration No. 15.) With the assistance of these drawings, Galt produced a work of *art* which has been unsurpassed in the whole history of seal making in Virginia. The "West" drawings are notable for their simplicity and classical beauty. They are incorrect, however, in the following details: the "sword" is not sheathed and the "crown" is shown *falling* instead of *fallen*. In the reverse the figures do not conform to the description given by the Convention of 1776 and are not followed by Galt in his finished work.

A very excellent specimen of this great seal is in the Virginia State Library on a requisition on the Governor of Pennsylvania, dated Oct. 26, 1859, for John E. Cooke, charged with murder and robbery perpetrated at or near Harper's Ferry in the County of Jefferson, etc., signed by Gov. Henry A. Wise. This Cooke was one of Jno. Brown's men and participated in his raid. Another good specimen of this seal may be found in the U. S. Senate record room on the credentials of Senator R. M. T. Hunter, dated June 8, 1858, signed by Henry A. Wise. (See illustration No. 16.)

The seals designed by Galt were used continuously until the close of the War between the States. At the time of the evacuation of Richmond by the Confederate army the Secretary of the Commonwealth was instructed by the Governor to remove all of the State archives to Lynchburg. The seals and records were packed in boxes and shipped by the James River and Kanawha Canal. The canal had been cut in several places, and the boxes fell into the hands of the Federal troops. When Governor Peirpoint removed the State government from Alexandria to Richmond, the seals were sent to him and again placed in the custody of the Secretary of the Commonwealth.

Soon after the return of the seals Governor Peirpoint had new seals made—exact copies of the old, with the exception that the words "Liberty and Union" were added both to the obverse and reverse. This addition was without authority of any published ordinance of Convention, or law of the Legislature, either at Wheeling, Alexandria, or Richmond; but it is stated on page 62 of the first volume of West Virginia Reports by the reporter, John Marshall Hagans, Esq., that a resolution was adopted by the Convention at Wheeling "providing for the appointment of a committee to procure a great and a lesser seal, the seals of the commonwealth being in possession of the late executive, respectively bearing, on obverse and reverse, the devices and mottoes on the seals theretofore used by the State, with the addition on each seal of the words 'liberty and union.'"

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<sup>54</sup> Code of Virginia, 1873, p. 122.

The reporter adds this remarkable paragraph: "There was a peculiar propriety in this, which excites greater interest when it is remembered that the seals of Virginia bear the device of a slave of the plebeian order, who, having broken the bonds of his servitude and obtained the ascendancy over his master, stands triumphantly with his foot upon the despot's prostrate form, illustrating the motto of 'Sic Semper Tyrannis' circling around him. So, likewise, did the 'peasantry of the west' in the name of liberty and union."

The accompanying illustration (No. 17) is from a photograph of a seal on a letter to Hon. Wm. H. Seward, Secretary of State, enclosing, in accordance with his request, an impression of the great seal dated Apr. 8, 1867, signed by J. M. Herndon, Secy. of the Commonwealth, now in the office of Librarian of the United States Department of State. Another good impression is found on the credentials of Senator Waitman T. Willey of Va., dated July 11, 1866, signed by Francis H. Pierpont.

There were now in the secretary's office two complete sets of seals, neither of which was properly authenticated. The General Assembly, with the idea of clarifying the situation, passed the following act:

"An ACT concerning the seals of the commonwealth, defining their Use, and the cases in which the Tax upon them is to be collected.

Passed Feb. 28, 1866.

Whereas reasonable doubt exists as to the present state of the law in reference to the seals of the commonwealth, particularly as to the distinctive uses of the two seals, and whether the tax imposed upon the use of what is termed in the law 'the seal of the state', is to be charged for each, or only for the great seal; and it being desirable that the law should be definite and clear on these points: Therefore,

1. Be it enacted by the General Assembly, That the great seal and the lesser seal, now under the care of the secretary of the commonwealth, as keeper of the seals, are and shall continue to be the seals of the commonwealth.

2. The great seal shall be affixed to documents signed by the governor which are to be used before tribunals, or for purposes outside of the jurisdiction of this state; and in every such case, except where the state is a party concerned in the use to be made of the document, the tax imposed by the law on the seal of the state, shall be collected and accounted for by the secretary of the commonwealth, as keeper of the seals.

3. The lesser seal shall be affixed to all grants for lands and writs of election issued by the governor; to all letters of pardon and reprieve; to all commissions, civil and military, signed by the governor, and to all papers requiring seal, authorized to be issued by the governor for the purpose of carrying the laws into effect within this commonwealth; and also, when deemed necessary by the secretary of the commonwealth, may be used by him as an authentication of his official signature: but no tax shall hereafter be charged upon said lesser seal, except upon commissions appointing notaries public, inspectors of tobacco and other commodities, commissioners of wrecks, and commissioners in other states for taking acknowledgments, and so forth, and upon certificates of the secretary of the commonwealth, when, at the request of the parties desiring such certificates, the seal is attached. In all such cases, the tax shall be



ILLUSTRATIO No. 18.  
See page 41, fourth paragraph.



ILLUSTRATION No. 19  
See page 43, fourth paragraph.



ILLUSTRATION No. 20.  
See bottom of page 44.

the same as upon the great seal, and shall be collected and accounted for in the same manner.

4. This act shall be in force from its passage."<sup>55</sup>

This law left the question of the legality of the seals in as much doubt as ever, though we find that the seals with the words "Liberty and Union" were the ones used until 1873, at which time the General Assembly passed an act authorizing the elimination of the words "Liberty and Union," but establishing by law all of the errors which had been current in one form or another since 1776. This new law changed the wording of the description as given by the Convention of 1776, so that the sword of Virtus was in her *right* hand and the spear in her *left*, a crown *falling*, etc.

Governor Kemper had designs drawn and seals made in accordance with this description, and these designs, as shown in the accompanying illustration (No. 18), depict more clearly than words the complete distortion of the idea as promulgated by George Wythe and his fellow committeemen. Once more we have the belligerent Amazon with drawn sword ready to strike. The crown is *falling*, instead of *fallen*, and the spear appears with point upward. From an artistic standpoint, the designs of Gov. Kemper are unusually graceful and attractive.

Sherwin McRae, in his report of 1884, says that these seals of Kemper's were never used; but in this he is in error, for I find two excellent impressions of them as follows: the great seal, on paper sent Secretary of State, at his request, dated Mar. 4, 1874, signed J. L. Kemper, now in office of Librarian of U. S. State Department; the lesser seal, on credentials of Senator John W. Johnston, dated Dec. 17, 1874, signed Jas. L. Kemper, now among the records of the U. S. Senate

The following is the act of 1873 mentioned above:

"1. Whereas, the seals of the commonwealth of Virginia, which were adopted in seventeen hundred and seventy-nine and used until the year eighteen hundred and sixty-five, were stolen or mislaid at the time of the evacuation of the City of Richmond in April, eighteen hundred and sixty-five; and whereas, on the restoration of the State government, under Gov. Pierpont, he caused a new seal to be engraved similar in every respect to the old, except that it contained the words 'Liberty and Union,' which said words seem to have been added to the seal without any authority of the law; and whereas the Legislature of Virginia on the twenty-eighth day of February, eighteen hundred and sixty-six, passed an act entitled an act concerning the seals of the commonwealth defining their use and the cases in which the tax upon them is to be collected; the first section of which said act is in the following words, to-wit: 'Be it enacted by the General Assembly, That the great seal and the lesser seal now under the care of the secretary of the commonwealth, as keeper of the seals are and shall continue to be the seals of the commonwealth'; and whereas, at the time of the passage of the said act, the old seal had been returned to the custody of the Secretary of the Commonwealth, and both seals were then under his care, leaving some doubt as to which seal the Legislature intended to adopt and legalize; and whereas, the old seal is very much worn by long usage; therefore;

<sup>55</sup> Acts of Virginia, 1865-67, p. 193.

Be it enacted by the General Assembly that the great seal of the commonwealth shall consist of a metallic disc, two and three quarter inches in diameter, containing within an ornamented border one quarter of an inch wide, the following devices and mottoes, viz: On the obverse, Virtus, the genius of the commonwealth, dressed as an Amazon resting on a spear held in her left hand, and holding a sword in her right hand, her left foot on the figure of tyranny, represented by a man prostrate, his head to her left, a crown falling from his head, a broken chain in his left hand, and a scourge in his right hand. Above the group, in a line parallel with the border, the word, 'Virginia', and in the exergue, on a curved line, the motto 'Sic Semper Tyrannis'. On the reverse a group, Libertas with her wand and Pileus in her right hand. On her right, Æternitas, with the globe and phoenix in her right hand; and on the left of Libertas, Ceres, with a cornucopia in her left hand, and ears of wheat in her right. Over this device, in a curved line, the word 'Perseverando.'

2. The lesser seal of the commonwealth shall be one and nine sixteenths inches in diameter, and have engraved thereon the device and inscriptions contained in the obverse of the great seal.

3. The Governor is hereby authorized and directed to procure and cause new seals to be prepared, as hereinbefore described, to be engraved in the best manner, with a suitable press for taking impressions therefrom; and thereafter to cause the seals now under the care of the secretary of the commonwealth to be defaced, by filing two marks at right angles across the faces of the same, and the seals now being used by the secretary of the commonwealth shall continue to be used until the fourth day of July eighteen hundred and seventy three; and their use heretofore, and until the new seals are ready for use, is hereby declared to be valid.

4. The great seal shall be affixed to documents, signed by the Governor, which are to be used before tribunals, or for purposes outside of the jurisdiction of this state; and in every such case, except where the state is a party concerned in the use to be made of the document, the tax imposed by law on the seal of the state shall be collected and accounted for by the secretary of the commonwealth, as keeper of the seals.

5. The lesser seal shall be affixed to all grants for lands and writs of election issued by the Governor; to all letters of pardon and reprieve; to all commissions, civil and military, signed by the Governor; and to all other papers requiring seal authorized to be issued by the Governor for the purpose of carrying the laws into effect within this commonwealth, and also, when deemed necessary by the secretary of the commonwealth may be used by him as an authentication of his official signature; but no tax shall hereafter be charged upon said lesser seal, except upon commissions appointing notaries public, inspectors of tobacco and other commodities, commissioners of wrecks, and commissioners in other states for taking acknowledgments, and so forth, and upon certificates of the secretary of the commonwealth, when, at the request of the parties desiring such certificates, the seal is attached. In all such cases the tax shall be the same as upon the great seal, and shall be collected and accounted for in the same manner." 56

<sup>56</sup> Code of Virginia, 1873, pp. 122-124. Code of Virginia, 1887, Sec. 32-35. Acts of Virginia, 1872-1873, Chap. 247.

For some reason, possibly the one given by McRae, that they "proved to be incorrect and unsatisfactory" (though they conformed admirably to the law of 1873), their use was discontinued about 1876. The old seal designed by Alexander Galt was again brought into use and remained the legal seal until 1884. On February 11th, 1876, James McDonald, Secretary of the Commonwealth, wrote to Hon. Hamilton Fish, Secretary of State, enclosing in compliance with his request an impression of the great seal (Galt design). This specimen is still in the Library of the Department of State. Another specimen of this seal as used at this period is found among the archives of the U. S. Senate upon the credentials of Senator Harrison Holt Riddleberger, signed by Gov. Fred W. M. Holliday.

Gov. Holliday, who fully appreciated the importance of restoring the great seal to the significant design authorized by the Convention of 1776, employed Col. Sherwin McRae, then State Librarian, to ascertain what was the correct description. McRae made a careful, though not exhaustive, investigation of the subject, which he concluded during the administration of Gov. Wm. E. Cameron. Both Governors Holliday and Cameron lent him their support, and the latter had several of the most accomplished engravers to come to Richmond and study the standards (Spence's Polymetis, etc.) by which George Wythe and his committee had been governed when evolving the design for the great seal for Virginia. The report of Sherwin McRae was transmitted by the Governor to the General Assembly on February 25, 1884. In this report McRae states that the metallic discs, obverse and reverse, of the great seal had been received and were ready for use. He fails to give the name of the engraver.

The new seal was the first which was correct in every detail, except the motto (according to the description given by the Convention of 1776). Virtus dressed like an Amazon with the "Parazonium" in her left hand sheathed and inverted, a spear in her right hand, point downward, touching the earth, with left foot on the tyrant. The tyrant in this seal is a reproduction of the figure used by Gov. Kemper in his design of 1873. The reverse is identical with the design of 1856.

The accompanying illustration (No. 19) is from a photograph of a seal attached to a letter addressed to the Honorable, the Secretary of State, enclosing in compliance with his request, an impression of the great seal, dated March 25, 1884, signed Gov. Wm. E. Cameron. Another example is among the U. S. Senate records, on the credentials of Senator John W. Daniel, dated December 29, 1885, signed by Gov. Wm. E. Cameron.

We now find a peculiar situation: the seal is correct in accordance with the original idea of 1776, but is wholly at variance with the law of 1873. Nor did the Legislature take any action on McRae's report towards correcting the wording in the description. This anomalous situation remained until 1903, when as a result of the efforts of D. Q. Eggleston, Secretary of the Commonwealth, the Legislature passed an act re-describing the great seal and correcting all of the errors except one. The new act uses the expression "A crown *falling* from his head", whereas the original description read: "A crown *fallen* from his head". This latter expression is in exact accord with the idea of "Victory completed" as expressed by "Fortitudo" or "Virtus". The words used in the act do not conform with this idea.

The following is the act of 1903:

"Chap. 353.—An Act to amend and re-enact section 32 of the Code of Virginia. Approved Dec. 8, 1903.

1. Be it enacted by the General Assembly of Virginia, That section 32 of the Code of Virginia be amended and re-enacted so as to read as follows:

§ 32 The great seal.—The Great Seal of the commonwealth shall consist of a metallic disc, two and three quarter inches in diameter, containing, within an ornamental border one quarter of an inch wide, the following devices and mottoes, viz: On the obverse: Virtus, the genius of the commonwealth, dressed as an Amazon, resting on a spear held in her right hand, and holding a sword in her left hand, her left foot on the figure of tyranny, represented by a man prostrate, his head to her left, a crown falling from his head, a broken chain in his left hand, and a scourge in his right hand. Above the group, in a line parallel with the border the word 'Virginia', and in the exergue, on a curved line, the motto, 'Sic Semper Tyrannis'. On the reverse, a group of Libertas with the wand and Pileus in her right hand; on her right, Aeternitas, with the globe and phoenix in her right hand; and on the left of Libertas, Ceres, with a cornucopia in her left hand, and ears of wheat in her right. Over this device, in a curved line, the word, 'Perseverando.'

2. This act shall be in force from its passage."<sup>57</sup>

The seal as used today (1911) is correct in all the major details. It is lacking, however, in artistic grace and beauty. The Genius of the Commonwealth has the figure of a man rather than that of a woman, and long after the discs were in use D. Q. Eggleston, Secretary of the Commonwealth, returned that of the obverse to the engraver and had the *breasts of a woman added* to the figure.

The accompanying illustration (No. 20) is from photographs made for D. Q. Eggleston in 1906. The original photographs are in the office of the Secretary of the Commonwealth.

It is sincerely to be hoped, now that the design of the seal is correct, that the contradictory motto, "*Perseverando*" (by persevering), will be changed to the original motto "*Deus Nobis Haec Otia Fecit*" (God has given us this ease).

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<sup>57</sup> Acts of Assembly, special session 1902-4, p. 570.



## SUPPLEMENT I.

## FEES.

The fees to be charged for affixing the seals of the Commonwealth are given in various acts of the General Assembly.

The following acts give the fees authorized in 1784:

"Fees for Seals, May 1784.

"III. And be it further enacted. That there shall be paid two shillings and six pence for every transfer of a surveyor's certificate for land, to be paid to the register of the land office before the issuing of the patent; and six shillings on each certificate under the seal of this commonwealth, to be paid to the clerk of the council for the time being; which last mentioned taxes shall be accounted for and paid in like manner, and with the like commission for collecting, as is directed in the case of other taxes by this act imposed." 58

"Fees for seals, Oct. 1784.

"V. And be it further enacted, that there shall be paid two shillings and six pence for every transfer of a surveyor's certificate for land, to be collected by the register of the land office before the issuing of the patent; for every attestation, protestation, and all other instruments of publication from a notary public; and six shillings for each certificate under the seal of the commonwealth, to be collected by the clerk of the council before the delivery of such certificate; which last mentioned taxes shall be accounted for and paid in the like manner, and with the like commission for collecting, as is directed in the case of other taxes imposed by this act. This act shall commence and be in force from and after the first day of March next." 59

The General Assembly, commencing with 1818, passed acts, with some exceptions, biennially, stipulating the amount of the fees for affixing the Seal of the Commonwealth to certificates.

The amount charged from 1818 to 1848 was \$2.00

The amount charged from 1851 to 1852 was \$3.00

The amount charged from 1852 to 1854 was \$1.00

The amount charged from 1855 to 1860 was \$2.00

The acts appear irregularly from this time on. In 1865 the following measure was passed:

"§ 32. When the seal of a court, notary public, or the seal of the state is annexed to any paper, except in those cases exempted by law, the taxes shall be as follows: For the seal of the State, two dollars; for the seal of a court, fifty cents; and of the like sum for the seal of a Notary Public, except in cases of protest of bills or notes for one hundred dollars or smaller sums, and herein shall be included a tax on a scroll annexed to a paper in lieu of an official seal." 60

<sup>58</sup> Hening, XI., p. 379.

<sup>59</sup> Hening, XI, p. 440.

<sup>60</sup> Acts of the General Assembly of Virginia, 1864-1865. A similar measure was passed in 1887, and since that time the charge has been two dollars.

## SUPPLEMENT II.

## STATE FLAG.

Virginia had no authorized flag until 1861, when the "Secession" Convention passed an act establishing a flag as follows:

"No. 33. An ordinance to establish a flag for this Commonwealth, passed Apr. 30, 1861.

Be it ordained by the convention of the commonwealth of Virginia That the Flag of this commonwealth shall hereafter be made of bunting, which shall be of deep blue field with a circle of white in the center, upon which shall be painted or embroidered, to show on both sides alike, the Coat of Arms, of the State, as described by the convention of 1776, for one side of the seal to-wit: 'Virtus, the genius of the Commonwealth [etc. . . .] In the exergon the word Virginia over the head of Virtus and underneath the words "Sic Semper Tyrannis", This flag shall be known and respected as the flag of Virginia. The Governor shall regulate the size and dimensions of the flag proper for forts, arsenals and public buildings, for ships of war and merchant marine, for troops in the field, respectively, and for any other purpose, according to his discretion; which regulation shall be published and proclaimed by him as occasion may require.

This ordinance shall take effect from its passage."<sup>61</sup>

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<sup>61</sup> Journal of the Convention of 1861.

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