

#### 4. A Plot is hatched

A log shifted noisily on the hearth, spurting a flurry of sparks as it slipped and then settled on the embers. The men gazed at it a moment until silence fell again and steady flames returned.

“Do you take a pipe, Johnson?” asked Sir Thomas abruptly to break the darkened mood. He rose and reached into a cupboard for a carafe and two broad-mouth glasses. “Neither do I,” he continued as his companion shook his head. “How ironic,” he smiled; “here I am, the founder and Treasurer of Virginia Company for all these years, responsible for 60,000 pounds of Virginia leaf brought in this year – and yet I hate that filthy weed as much as the King himself!” He laughed, breaking the ominous mood. “But since I have nothing to offer you to smoke, let me offer you this to drink.”

He took the carafe and poured a generous pool of a golden liquid into each glass, just to the limit of reasonableness. “It’s very like the *eau de vie* from Cognac, but from the Armagnac, nearby – although this evening we sound like we have indulged in ‘Maniac!’” He chuckled. “I

was given a cask last year and told to wait a year or two more. I sampled it last week and found it exceptional. There is a great future in it, if we can find a way to keep the Hollanders out of the trade!"

Johnson tasted it and nodded appreciatively, but let the older man continue. "Now, Robert, what you say about what Sandys' plan is right to the mark, but come now! An accusation of treason without proof serve only to destroy the accuser."

"Agreed."

"So how, do you propose to rid ourselves of this most troublesome Treasurer?"

Johnson smiled and shrugged. "Sir Thomas, I have not spoken this way with anyone else, and I fear my words have far outrun my thoughts."

"Oh, of course not, Robert, I know you better than that! You are as bright a fellow as I have met these sixty years past. You have some ideas already or you wouldn't have spoken at all! So come now: what can we do, when, and how?"

Johnson sighed. "We cannot remove Sandys as Treasurer until balloting this spring. Still, a campaign can be prepared beforehand."

"Yes, yes," urged Sir Thomas. "Of course: complaint after complaint that seems to arise quite naturally. But somehow we must start the flood?" He leaned forward, a glint in his eye. "Our quarterly meeting of shareholder is tomorrow. Can we not find some unpleasant matter be raised?"

"There are the City children, of course," said Johnson slowly.

"What children? What about them?"

"Close to a hundred are already rounded up in Bridewell and Sandys is anxious to begin loading them very

soon. *Duty* is ready to sail; *Jonathan* and the *London Merchant*, nearly so. But what if someone should object? What if some of them simply refuse? Or if someone objects for them? Does it not seem odd for the Company to ship away the King's subjects against their will? We're not talking about thieves reprieved from the gallows or the like, but just ordinary subjects, however mean and common. Where is the warrant for shipping them out of England?"

Smythe stroked his beard thoughtfully. "As you say, it's not reprieved convicts, where it's a choice between transportation and the noose. But wouldn't Sandys just say its like when the Overseers of the Poor bind a child to serve a master? That's common enough."

"But still not the same. When a unwilling youngster is bound to a master, the master must train him up in a trade, teach him a livelihood, feed and cloth him for years. But can City bind each one of the hundred to serve *the Company*? Serve a thousand different masters at once, almost all of them here in England since they adventure only their purse here and not their person in Virginia! What right does the Company have to send the King's subjects unwillingly out of King's own realm of England?"

Sir Thomas reflected. "Whatever rights the Company has are in the Charter, of course, the revised one, to be sure. But Robert, who has re-read the Charter in years?"

Robert Johnson gave a sheepish smile. "I have, actually, Sir Thomas. It was just yesterday, and on this very point. I told Sandys that I needed to verify a matter in a private dispute and he directed Collingwood to let me review all three of the Charters."

"Hmph! While Collingwood stood by looking over your shoulder, I suppose."

"Oh, he busied himself around me, trying to see what I was looking for. But he is so new as Secretary – he's really

not ready to replace old Fotherby – that he had no idea what I was looking for. I didn't choose to enlighten him.

"Well don't keep me hanging, Robert! Where are you going with all this?"

"The Treasurer, the Company and their assigns are authorized to transport to Virginia so many of the King's subjects '*as shall willingly accompany them*' them. It's that exact phrase. It was in the first charter in '06, and is exactly the same in two revisions. I examined them all."

"*As shall willingly accompany them*", repeated Sir Thomas slowly. "You are sure of that?"

"I copied it exactly as it was written: the Charters do not allow the Company to transport anyone who is *unwilling*, whether bound servant or not. Not even Edwin Sandys can treat the poor children of London worse than common thief or murderer. So if *anyone* refuses to be shipped to Virginia, Sir Edwin Sandys will have to go hat in hand to ask the Privy Council for an order."

A mischievous grin spread on Sir Thomas' lips. "But Sandys doesn't know that yet."

"Precisely And now that I think of it, it gets better. Cockaine has only agreed *in principle* for the City to pay the five pounds fee per child as was done last year."

"Three pounds for shipping and two pounds for clothing, if I recall correctly."

"Indeed; but no agreement has been finalized. Cockaine wants the youngsters to be granted some land for their own where their servitude is over, but Sandys keeps refusing."

"Because he wants to reserve more land to grant for the private plantations," added Sir Thomas.

"But let us suppose that Cockaine asks Sandys to produce his warrant for shipping the children -- a warrant Sandys does not have."

Smythe's smile grew broader and broader as he saw how the plan would unfold. "Sandys tells Collingwood to find some provision in the Charter that would allow it!"

Johnson nodded. "And Collingwood discovers that the Company may ship only those who *willingly* will go."

"I see it all now," cried Smythe, clapping his hands with delight. "The ships pressing to sail – dockage fees mounting -- the captains complaining -- Sandys running to beg the Privy Council for a warrant to gie to the City, only to be lectured that while merchants in Parliament may think otherwise, James Stuart is not a King who ships even his meanest subjects a world away from their mothers' breasts simply because Sir Edwin Sandys claims to have bought 'em!"

"So the Privy Council won't grant approval without the City's agreement and the City says it won't agree without the Council's order – or unless Sir Edwin agrees to fix a term on the children's service and grant them land when their time is over – and perhaps extend those better terms to the five-score sent last year as well. You know the clergy and others have already complained about how they were treated – Parson Whitby has been most persistent in the matter."

"To summarize," smiled Sir Thomas, "if the children refuse, Sir Edwin Sandys will be forced to squander more of the Company's almost non-existent funds, offending the guilds and other investors, the Privy Council, and the King all at the same time. A most beautiful fiasco, Mr. Alderman Johnson."

"So it would appear," he replied with some satisfaction. "After such a debacle, how many men will place Sandys' ball in the balloting box come next Spring, or support him if later if he feuds with the Crown?"

On the hearth, the flames, while fading, flickered still. “Robert,” said Sir Thomas slowly and emptying his glass to the last drop, “the day you were wed, I thought my Margaret had chosen well. Tonight,” he concluded, “tonight, I am sure of it.”