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The Maryland Gentry and Social Mobility, 1637-1676

William A. Reavis*

THE study of social structure is a nebulous thing at best, and it has suffered from the tendency of historians to rely almost exclusively upon diaries and memoirs, leaving the quantitative approach to the sociologists. But man in the mass *is* accessible even to the historian, and court records provide one of our best sources in this regard, particularly in the colonial period, when a man's social status was generally made a part of the public record.¹

The *Archives of Maryland* contain seven volumes devoted to the records of the Maryland Provincial Court from 1637 until 1676.² In those years, 330 men who may be described as gentlemen appeared in the court. When labeled at all, they were called *Esq.*, *Gent.*, *Mr.*, or they were given a military or naval rank. Esquire was used almost exclusively for the Calvert inner circle. Of the entire group, 275 (83 per cent) were recognized as gentlemen from their first entry in the records, and have thus been dubbed "immigrant" gentlemen,³ while 55 (17 per cent) rose from the ranks of the Maryland commoners,⁴ and have been labeled "indigenous" gentlemen. With the exception of the inner circle, the immigrant gentleman was usually identified as *Gent.* from 1637 to 1650, while the indigenous gentleman was labeled *Mr.* From 1650 to 1665 both groups were

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¹ For a study based partly on New England court records, see Norman H. Dawes, "Titles as Symbols of Prestige in Seventeenth-Century New England," *William and Mary Quarterly*, 3d Ser., VI (1949), 69-83.

² *Archives of Maryland*, ed. William H. Brown and others (Baltimore, 1883-in process) IV, X, XLI, XLIX, LVII, LXV, and LXVI. There is a gap in the records for the period 1645-46. These seven volumes also contain many records of the St. Mary's and Calvert County courts, and a few records of other counties. Several volumes in the *Archives* are devoted exclusively to county court records.

³ A few of the so-called "immigrant" gentlemen were actually born in the New World, either coming from other colonies or being the elder sons of Maryland gentry.

⁴ The word "commoner" is used here as a convenient way to categorize all Marylanders who were not members of the gentry class. The court records contain no such term.

usually labeled as *Mr.* and from 1665 to 1676 as *Gent.* The accompanying table lists the first appearance of immigrant and indigenous gentry in the Maryland Provincial Court, the latter group in their first appearance as gentlemen.⁵

Considering the immigrant gentlemen first, it is important to ask just what proportion of this group had been, or would have qualified as, gentlemen in England. It has been observed that the English gentleman had the "prestige of birth . . . acquired in three generations of wealth or achievement leading to exemption from gainful labor . . ."⁶ Accepting this definition, it is obvious that few genuine English gentlemen of the early seventeenth century would have migrated to the New World simply to plant tobacco. For what reasons, then, and in what numbers did the gentry come?

Those who emigrated mainly to participate in the rewards of Maryland officialdom were probably all valid English gentlemen. The Calverts had a huge grant of land from the King, but this grant would do the family little good unless colonists could be moved to the New World in large numbers. To staff such a project the Calverts had to recruit a trusted "inner circle" of gentlemen of means and position who could be enticed to America by the promise of a share in the Calvert largess. As Donnell M. Owings has shown very clearly, this largess was distributed through the grant of provincial offices, in the form of salaries and fees of a princely nature.⁷

But this Calvert inner circle was never large: if the four Calverts are excepted, only thirteen of the 275 immigrant gentry held positions on the

⁵ Gentry markings were profuse during the first half of the period but tended to fall off in the last years, even in the case of the Calverts. They were always used, however, in formal legal papers, such as land sale agreements. But the only solution to this problem was to trace the entries of each possible gentleman through many volumes; fortunately Marylanders were a litigious people, particularly if they were members of the upper commoner or gentry class, and there was no dearth of entries to compare.

The clerks of the Provincial Court were themselves gentlemen, and their decisions as to social status have been accepted throughout. Occasionally succeeding clerks disagreed as to borderline individuals, and an average had to be taken. But the clerks were very catholic in their designation of gentlemen: William Claiborne, Richard Bennett, William Fuller, William Bretton, Josias Fendall, and Nathaniel Utye, all of whom openly opposed the Calvert government at one time or another, were consistently marked as gentlemen by Calvert's own court clerks.

⁶ *Encyclopaedia of the Social Sciences* (New York, 1930-34), VI, 617.

⁷ Donnell M. Owings, *His Lordship's Patronage* (Baltimore, 1953).

<u>Year</u>	<u>Immigrant Gentry</u>	<u>Indigenous Gentry</u>	<u>Total</u>
1637	25	0	25
1638	3	0	3
1639	6	0	6
1640	0	0	0
1641	0	0	0
1642	11	0	11
1643	4	0	4
1644	2	0	2
records destroyed, 1645-46			
1647	4	3	7
1648	3	2	5
1649	2	3	5
1650	6	6	12
1651	21	2	23
1652	13	1	14
1653	9	1	10
1654	13	0	13
1655	13	3	16
1656	5	1	6
1657	11	1	12
1658	13	7	20
1659	3	3	6
1660	5	0	5
1661	11	2	13
1662	0	2	2
1663	8	5	13
1664	12	2	14
1665	3	0	3
1666	7	0	7
1667	3	0	3
1668	8	1	9
1669	10	0	10
1670	9	1	10
1671	1	1	2
1672	4	0	4
1673	9	3	12
1674	9	2	11
1675	5	1	6
1676	4	2	6
Totals	275	55	330

Provincial Council during periods of Calvert hegemony for as long as five years. They were Robert Clarke, Thomas Greene, Thomas Gerard, John Lewger, Giles Brent, Henry Coursey, Thomas Trueman, Baker Brooke, Jerome White, Jesse Wharton, William Evans, Edward Lloyd, and Thomas Hatton.⁸ Only five of these men were included among the twenty-eight gentry who appear in the records in 1637-38. It can certainly be argued that a higher proportion of the original colonists were Calvert retainers who either returned to England or died or became alienated from the Calvert rule, and who thus had no opportunity to serve on the Provincial Council for as long a period as five years. Even so, the group of genuine English gentlemen, who were primarily attracted to America by a promise of a part of the Calvert largess, was small.

Those English gentlemen who came to Maryland mainly in the pursuit of adventure were even smaller in number. The records suggest that practically all who came for this reason, like Francis Trafford Esq. and William Talbott Esq., stayed but a year or two and then returned to England. The American wilderness held little continuing attraction for gentlemen assured in England of economic, political, and social standing; once the aura of adventure had worn off they were eager to return to remembered comforts.

English gentlemen who migrated primarily because of religious discrimination probably included most of the original group of Catholic gentry and some of the Puritans who came up from Virginia. But the fact that the estates of deceased Maryland gentlemen contained so little of value besides the lands given out by the Calverts indicates that this group could not have been very large; for if they had been gentlemen of means, it is reasonable to assume they would have managed to bring a good portion of their wealth with them.

Examination of the records of the Provincial Court shows that not more than fifty, and possibly fewer, of the 275 immigrant gentry can be placed in one of the above groups. That means that at least 225 members (82 per cent) of the Maryland immigrant gentry had not been real English gentlemen at all; they were either "gentlemen" of the fringe variety (those whose fortunes were on the wane, or possibly the younger sons of gentlemen, who found themselves with nothing but a famous name), or, more probably, they were English middling sort who filled the void in the

⁸ The *Archives of Maryland* have excellent indexes; where examples in the text can be easily traced they will not be footnoted.

Maryland upper stratum caused by the shortage of true English gentlemen. Thus it seems likely that the trip from England to America allowed scores of men to step a notch upward in the social scale without even having to serve an apprenticeship as commoners in the New World. This "shipboard mobility" has been generally ignored by historians, but it is an important phenomenon of the period of settlement on any frontier. In seventeenth-century Maryland it was far more significant numerically than was the "coming up through the ranks" by commoners, although both were based upon the same lack of valid gentry and the same frontier emphasis upon individual initiative and ability. The latter required a certain period of economic and social growth made possible by cheap lands and frontier opportunities for individual initiative; the former required only an air of distinction as one debarked from the ship.

Turning to the indigenous gentry, it is apparent from the above table that the accession of Maryland commoners to the status of gentleman was relatively constant after the first eight years. As we have seen, 17 per cent of the 330 Maryland gentlemen appearing in the Provincial Court were of this type.⁹ These fifty-five gentlemen averaged twenty-five entries each in the Provincial Court records during an average of twelve years as commoners. They ranged all the way from Nicholas Gwither, who took four years to move from commoner to gentleman (sixteen entries as a commoner), to William Hatton, who spent twenty-six years as a commoner before he became accepted as a gentleman (thirty-two entries as a commoner).

⁹ This is, of course, a relative figure, based on the assumption that all of the immigrant gentry were bona fide residents of Maryland. There is good reason to believe that the actual percentage of indigenous gentry was much higher, perhaps as great as 25 or 33 per cent: 1) Many transients are included among the immigrant gentry. The records provide incomplete data on departures from the colony, and many of the immigrant gentry maintained little or no residence in Maryland. Among these were such mariners as Capt. Richard Husbands, Capt. Samuel Tilghman; Virginia gentry who were in and out of Maryland, such as Mr. John Hanceford, Mr. John Trussell, and Mr. Thomas Thornborough; and the English gentlemen-adventurers. All these men (and probably others who could not be identified as transients) have to be included in the immigrant gentry totals because the information on the extent of their activities in Maryland is so sketchy. 2) Some men who may have been indigenous gentry were placed in the category of immigrant gentry: those for whom the period of time between the first entry and first gentry entry was short, and those for whom too few entries intervened between first appearance in the records and first appearance as gentry.

For the above reasons, the table contains a higher proportion of immigrant gentry and a consequent lower proportion of indigenous gentry than was actually

While there was considerable social mobility in Maryland throughout the seventeenth century, it is easier to gauge it than to determine just how it took place. Certainly one factor to be considered would be the accumulation of riches. A considerable gulf existed between the average net worth of commoners and gentlemen in seventeenth-century Maryland: out of the fifty-five itemized and evaluated estates listed in the records of the Provincial Court,¹⁰ the thirty-nine commoner estates had an average valuation of 3,695 pounds of tobacco, while the eighteen gentry estates averaged slightly over five times as much.¹¹ This was primarily because of the great differences in landholdings between the two classes: while Lord Calvert was rather liberal in his grants to many of the immigrant gentry, his policies toward the lower classes were much more restrictive, and many were kept in a state of semitenancy for at least a generation. This situation did not remain static: after 1660 there was a considerable inflation in land values,¹² and there were numerous sales of land to commoners, both by the proprietor and by individual gentlemen. The credit structure of provincial finance, based on the annual crop of tobacco, made it easy for commoners with little capital to buy as much land as they could profitably farm, and many others simply drifted off to the frontier and squatted. In either case, land was available which the commoners could not have dreamed of possessing in England, and by tradition the ownership of land has always carried with it the aura of gentility.

But there are many indications that the division between the two classes was not entirely economic. Many gentry estates had lower valuations than some commoners': the estate of Mr. Zachary Mottershead was

the case. It should be emphasized that all indigenous gentry were Maryland residents over a long period of time.

¹⁰ The listing of the estates in the records of the Provincial Court is incomplete, even in the early period when there were no county courts. In addition, only about half of the estates listed contain appraisals of value.

¹¹ During the seventeenth century in Maryland, pounds of tobacco were used as the unit of exchange because of the lack of coin. In 1639 one pound of tobacco was valued at three pence sterling (80 lbs. tobacco=1£), and by 1665 the value of one pound of tobacco had depreciated exactly half, being equal to three halfpence sterling (160 lbs. tobacco=1£). The pound of tobacco did, however, effectively measure the amount of labor necessary to purchase goods. *Archives of Maryland*, IV, 102-103, and XLIX, 388.

¹² The value of average tobacco lands increased from an average of 5-6 pounds of tobacco per acre in the period 1637-58, to 10 pounds in 1666, to 13 pounds in 1673, and to 17-20 pounds in 1675. *Archives of Maryland*, IV, 15, XLI, 103, 143, LVII, 45-54, LXV, 118, 501-502, 504-505.

virtually worthless after debts and death expenses were deducted, while James Jolly, a commoner planter and mariner, left an estate worth 37,367 pounds of tobacco, larger than most of the gentry estates. Both classes owned indentured servants about equally, and it is interesting to note that the commoner John Grammar owned more indentured servants (ten) than did any gentleman whose estate is listed in the records. Moreover, "wealthy" Marylanders were in reality land-poor; besides their indentured servants, livestock, boats, and an occasional slave, their personal property was of such a limited and frontier nature (even in the case of the Calverts) that it was almost negligible.

The main route upward for commoners lay in public service. In 67 per cent of the cases, accession to a higher social status was preceded by appointment to an office identified with the gentry class: all provincial posts, county commissioners, county sheriffs, county surveyors, commissioned ranks in the militia, ship captains, and professional attorneys. It can be argued that officeholding had some relationship to economic standing since the county offices, at least, paid very little and had to be supplemented by planting. But the relationship of wealth to officeholding was at best only secondary.

In the rural areas of England the gentry had always held the local offices, so it is not surprising that officeholding was the main avenue to gentility in Maryland. What is significant is the fact that only 52 per cent of the immigrant gentry ever held *any* provincial or county office. This fact, coupled with the constant formation of new counties, gave many commoners the chance to fill important local offices, an opportunity which would have been practically nonexistent in England. Thus in the newer counties of Baltimore, Dorchester, Somerset, and Cecil, all of which had only a few hundred inhabitants each in 1675, many commoners made the transition to gentry status.

The same thing was happening in the older counties, where just as many openings seem to have existed despite the greater number of immigrant gentry available to fill them. In 1668 George Beckwith became the Calvert County coroner and was recognized as a gentleman; in 1664 the commoner William Marshall was appointed Charles County commissioner after twenty years in Maryland, as Zachary Wade had been the year before. In 1663 Thomas Leitchworth and Tobias Norton became Calvert County commissioners after six years and seven years, respectively, as

commoners. Apparently, because of the rough work involved in frontier planting, many of the immigrant gentlemen had little time for officeholding, and their apathy gave many new men their chance.

Very often commoners worked their way up through a succession of minor offices. Robert Vaughan, who had been a sergeant in the militia, was appointed a captain in 1647, and thus became a gentleman automatically. Philip Land served as the undersheriff of St. Mary's County while a commoner, but when he was appointed sheriff in 1650 he became a gentleman. Edward Packer served on juries constantly from 1638 to 1652; in the latter year he was appointed jury foreman, and the clerk inscribed a *Mr.* before his name from then on. Richard Smith served as a lay attorney for some years, and he became a gentleman when he was appointed attorney general in 1657. In 1651 Miles Cooke was mate for Captain Richard Husbands aboard the *Hopeful Adventure*; in 1659 Cooke obtained command of the *Baltimore* and assumed gentry status. James Thompson, while still a commoner, served as clerk of the orphans' court and the Calvert County court. Finally, in 1664, he was made clerk of the Provincial Court and accorded himself the rank of gentleman.

Some members of the indigenous gentry exhibited amazing progress in the social scale; while the majority probably came from among the upper commoners, there are some significant exceptions. James Langworth and James Linsey came to Maryland as indentured servants; Langworth rose in time to be a commissioner of St. Mary's County, a lay attorney, and a captain in the militia, while Linsey was appointed a Charles County commissioner sixteen years after achieving his freedom. John Jarbo, Henry Adams, and William Marshall all began as laborers; in time Jarbo became a lieutenant colonel in the militia and a St. Mary's County commissioner, while Adams and Marshall became Charles County commissioners and sheriffs within twenty years after their first appearance in the records. Other indigenous gentry started higher in the commoner group, but they climbed higher too: Samuel Chew, Edward Packer, John Hatch, Richard Banks, Robert Vaughan, and John Price all served on the Provincial Court for short periods.

As might be expected, many commoners came close to achieving the status of gentleman but were never quite accepted. Daniel Clocker was a significant example of this group. He first appeared in the Provincial Court in 1648 as a newly freed servant who acquired enough "freedom land" to get started as a planter. He was illiterate, but he served as a juror

and lay attorney, and in 1655 was appointed a commissioner of St. Mary's County, serving for a year in that capacity. In 1661 he was appointed as executor for the estate of Colonel John Price, and in 1669 he became overseer of the highways in St. Mary's County. In the 1670's he was regularly a juryman until his death in 1676. The importance of the relationship between social status and political office is suggested by the fact that at no time other than the year he spent as a St. Mary's County commissioner was he marked as a gentleman; the fact that he was not so marked thereafter prevented him from being classed in the indigenous gentry.

The effect of family ties on social status was mixed: sometimes they helped and at other times they had no apparent influence. James Johnson married the daughter of Mr. Thomas Hatton in 1650, and in 1655 he was appointed a commissioner of St. Mary's County, becoming a gentleman after fourteen years as a commoner. Thomas Courtney, on the other hand, married the daughter of Mr. Thomas Taylor in 1664 and received one hundred acres of land as his wife's dowry. Although Courtney was very active in the courts and as constable for St. Mary's Hundred, he was never accepted as a gentleman.

Only about one third of the sons of gentry were accorded the rank of gentleman as soon as they appeared in the records. It is difficult to distinguish between elder and younger sons, but it appears that most of the latter began as commoners, although some eventually achieved the status of gentleman. The Hatton family had three males who were immediately accepted as gentlemen and one who took twenty-six years to achieve that status. Three members of the Thompson family were marked as gentlemen immediately and three had to work up through the ranks of the commoners. The Adams, Browne, Hall, Mitchell, Morgan, Price, Smith, Taylor, Thomas, and Wade families all had one male who was accorded gentry status on first appearance in the records, one who served a period of time as a commoner before becoming a gentleman, and others who remained commoners all their lives. Thus, while marriage and blood relationship, as well as riches, were factors in determining the gentry status, the big factor, as we have seen, was officeholding.

The upward movement of commoners was facilitated by the failure of the Calverts to enforce class distinctions in legal and property matters that existed in Old England. In a frontier environment and under the pressures of simultaneous struggles for control with democratic elements and with the Puritans, the Calverts simply could not allow special privileges in

court for the gentry. It is true that by statute gentlemen were excluded, for at least a few years, from such debasing punishment as whipping,¹³ but in all other matters the Provincial Court tended to be firm, yet fair, with both classes. In 1658, for example, both Mr. Henry Hooper and the commoner John Cornelius were found guilty of swearing in court, and they were fined ten pounds of tobacco each. In 1648 Edward Cummings and in 1650 Mr. Luke Gardiner were found guilty of slander, and both fines were remitted upon apology in open court. In 1675 Thomas Taylor, commoner, complained to the court that Thomas Taylor, Gent., "an assault did make and him did beate wound and evill handle and him imprisoned and so imprisoned a long time detained and other enormities." The jury found for the commoner, and the court awarded damages of 2000 pounds of tobacco. In 1653 Henry Hyde testified that Mr. Lawrence Starkey had threatened to make him a perpetual servant; the court ordered Hyde released at the end of his term with freedom dues as agreed.

The value of a gentleman's word in court actually declined considerably during the seventeenth century, possibly as a reflection of the changed nature of the gentry. Two cases may be cited to illustrate this trend. In 1642 Mr. Thomas Gerard was able to win a suit concerning a sow by assuring the court that he had never promised the animal as was charged by a commoner. By contrast, in 1661 Mr. Thomas Mathews was sued for £10 wages by Thomas Walker, his former indentured servant, and although Mathews swore that the money had never been promised, the court awarded the £10 to Walker. It was not unusual for a commoner to administer the estate of a gentleman, as Joseph Edlowe did for the estate of Mr. Robert Wiseman in 1651. In 1658 Mr. William Eltonhead's estate was appraised by four commoners, and in 1650 Mr. Thomas Hatton and Captain William Mitchell agreed to arbitration of their suit by two men, a gentleman and a commoner.

From 1637 to 1643 all cases in the Provincial Court were decided by gentlemen sitting as judges; however, after that time almost all of the cases were decided by jury. Out of fifty-five jury cases examined, 16 per cent had all-commoner juries, even though most of the cases involved a gentleman either as plaintiff or defendant. When, in 1672, Mr. James Neale and his son were tried for hog stealing, both were found guilty by

¹³ *Ibid.*, I, 158, 184 (1642). However, the Provincial Court records indicate that there was very little whipping of freemen except during the years of Puritan domination.

commoner juries. When Mr. John Blomfield, in 1675, sued Philip Russell for failing to live up to a contract, the all-commoner jury found for Blomfield.

In the mixed juries a gentleman was generally chosen as foreman, but in 15 per cent of those cases a commoner was chosen instead. Almost half of the mixed juries contained only one gentleman, and seldom were more than two or three assigned. The few juries which contained 50 per cent gentry or more seem to have been in trials of more than usual interest, such as that in 1652 when Captain William Mitchell was tried for adultery, blasphemy, and murder, and that in 1653 when two Indians were tried for murder.¹⁴ Gentlemen did, at times, demand a place in the jury box, but it was more an effort to get a front row seat than to control the administration of justice.

By 1676 Maryland had grown from about 200 inhabitants to over 20,000,¹⁵ and the colony's transition from frontier to settled, rural status meant that it would be more and more difficult for a new arrival to make the transition from commoner to gentleman. Only by moving westward, or by migrating to the unsettled frontier areas of South Carolina and Georgia, could he hope to match the mobility which had characterized the first settlers who established the Maryland social structure from 1637 to 1676. The heritage of an individualistic frontier tradition would always allow more social mobility in Maryland than had been possible in England,¹⁶ but the days of free-wheeling social ascent were over.

¹⁴ The trial of the Indians can be found in *Archives of Maryland*, X, 295.

¹⁵ For more detailed population figures see E. B. Greene and Virginia D. Harrington, *American Population Before the Federal Census of 1790* (New York, 1932), pp. 123-124.

¹⁶ For an excellent contemporary description of the English gentry, see Sir Thomas Smith, "De Republica Angolorum" (1565), in *Complaint and Reform in England, 1436-1714*, ed. W. H. Dunham and Stanley Pargellis (New York, 1938), p. 212. This source indicates that although there was some social mobility in England, not many men could look forward to such a transition in their own lifetimes; rather they worked to ease the progress of their sons.