the

Forecast

Ye can discern the face of the sky; but can ye not discern the signs of the times?

Matthew 16:3



Vol. I, No. 14. April 15, 1994

A semi-monthly newsletter on law and public policy by Herbert W. Titus, J.D., Editor and Publisher.

THE FIRST CHARTER OF VIRGINIA: SEEDBED FOR THE NATION

We gather this evening just one-half mile from historic Jamestowne Island, Virginia, to celebrate the 375th anniversary year of Henricus Colledge (1619), Inc.

While it was not until July 31, 1619, that the Colledge was authorized by the Virginia General Assembly, it is most fitting to commemorate its birth on April 9, 1994. For tomorrow, April 10, is the 388th anniversary day of the First Charter authorizing the founding of the colony of Virginia.

Without the founding of the colony, there would obviously have been no college. But the connection between the two is far closer than that. Both were founded with the single purpose of winning the native peoples of Virginia to Christ.

The 1606 Charter was secured from King James I by the founders of the London and Plimouth companies "to make Habitation, Plantation, and to deduce a colony of our people into that part of America commonly called Virginia, and other parts and Territories in America, either appertaining to us, or which are not now actually possessed by any Christian Prince or People...."

After describing a geographical area stretching

from the Atlantic to the Pacific coasts, and on a line south to the Carolinas and north as far as Maine, the Charter turned to the founders' purpose and the King's acceptance of it:

We, greatly commending, and graciously accepting of, their Desires for the Furtherance of so noble a Work, which may, by the Providence of Almighty God, hereafter tend to the Glory of his Divine Majesty, in propagating of Christian Religion to such People, as yet live in Darkness and miserable Ignorance of the true Knowledge and Worship of God, and may in time bring the Infidels and Savages, living in those parts, to human Civility, and to a settled and quiet Government.... Sources of Our Liberties 39-40 (Perry, ed. 1978) (Hereinafter Sources.)

So the expressed purpose, and the only one written in the Charter, was to establish colonies in the new World as a Christian evangelical witness to the native peoples. And it was pursuant to that purpose that the Virginia General Assembly, in 1619, authorized the establishment of Henricus Colledge.

Two days after the Assembly acted to create the Colledge, it set forth its purpose as "laying a surer foundation of the conversion of the Indians to Christian Religion." To that end, the Assembly required that each city, borough, and plantation "obtaine unto themselves by just means a

In this Issue:

On April 9, 1994, your editor was privileged to deliver the address on the occasion of the 375th anniversary celebration of Henricus Colledge. The entire text is printed herein.

certain number of the natives' children to be educated by them in true religion and civile course of life...."

Finally the Assembly expressed the hope that from these native children some would be "fitted [so that] from thence they may be sente to that worke of conversion" of their own people. 3 Records of the Virginia Company of London 161, 165-66 (S. Kingsbury, ed. 1933).

Less than three years after the Virginia Assembly acted, the building of the Colledge

America as a nation owes her birth to the Great Commission.

was underway on a large tract of land in the new settlement of Henrico, just up the James River from the Jamestown colony. But it was cut short, never to be completed at its original site, eventually to be devolved into the College of William and Mary in 1693.

While this effort to take the gospel to the native American people failed, and while the general effort to Christianize them also met with little success, the purpose of the Virginia colony and Henricus Colledge remains as a testament that America as a nation owes her birth to the Great Commission.

THE GREAT COMMISSION

Just before Jesus ascended into heaven to the Father, He gave these instructions to the Church:

Go ye...and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost: Teaching them to observe all things whatsoever I have commanded you: and, lo, I am with you alway, even unto the end of the world. Amen. Matthew 18:19-20.

Popularly known as the Great Commission, this passage has inspired and motivated Christians throughout the centuries to take the gospel of Christ to all nations. Christian literature is packed with testimonies of missionaries penetrating far-off jungles, climbing high mountains, enduring hot deserts, and surviving icy terrain under great hardship and with incredible sacrifice, even of their very lives.

Not only have Christians defied the elements, but they have taken the gospel message into nations against the laws and the desires of the leaders of those nations. They have preached and taught, printed and disseminated - and even smuggled - the Word of God in violation of the rules.

By what authority have Christians done these things? Does the end justify the means? God

forbid! Christ
has "all
power...in
heaven and in
earth" (Mt.
28:18) and,

therefore, the Church has authority from the King of Kings to take the message of Christ to all nations. She need obtain consent from no earthly ruler.

Paul's missionary journeys in the Roman Empire are illustrative of this overarching authority. At no time did he or his companions seek permission from any civil ruler to take the gospel message to any area. That authority came exclusively from God through the Holy Spirit. E.g., Acts 13 and 14.

Nor were Paul and his companions deterred by charges that the gospel message violated Roman law (E.g., Acts 16:19-22), including the charge that he had violated the same law by which Christ had been charged and convicted, namely, that there was only one king, Caesar. Acts 17:7 and John 19:12, 15-16.

No wonder they were accused of turning the world upside down. Acts 17:6. The very act of taking the gospel message into a nation without permission was considered illegal, because the nations' leaders claimed all power and authority for themselves.

But Jesus had taught the early Church well. Paul and his missionary brethren remembered to render unto Caesar only that which belonged to Caesar. Luke 20:25. And they knew that God had provided through the Holy Spirit the power to live that truth in a hostile political world. Acts 4:18-20, 23-33; 5:27-29, 40-42.

After all, the Lord Jesus Christ was now at the right hand of the Father and the nations were un-

der His command as the Psalmist testified:

Why do the heathen rage, and the people imagine a vain thing? The kings of the earth set themselves, and the rulers take counsel together, against the Lord and against his anointed, saying Let us break their bands asunder, and cast away their cords from us. He that sitteth in the heavens shall laugh: the Lord shall have them in derision.... Ps. 2:1-4.

All the Church needed to do was act upon this promise and, by the Providence of God, the na-

WHEREAS Our ... well-beloved Subject William Penn, .. out of a

CHARTER OF PENNSYLVANIA (4881)

commendable Desire to enlarge our English Empire, and I. to

reduce the savage Natives by gentle and just manners to the

Love of Civil Societie and Christian Religion...

tions would be hers:

Ask of me, and I shall give thee the heathen for thine inheritance, and the uttermost parts 🖾

of the earth for thy possession. Ps. 2:8.

In the first century after Christ, the Church asked and the Lord gave, for by the fourth century even the mighty Roman empire had bowed her knee to the Lord. W. Durant, Caesar and Christ 646-64 (1944).

COLONIES FOR CHRIST

Thirteen hundred years later, the Church was on the march again, this time across the mighty Atlantic Ocean into the New World. Ready to endure hardship and to risk their lives and fortunes, Christian people settled along the coast north to Massachusetts and south to Georgia.

The 1606 Virginia Charter provided ample authority for all of these various colonial enterprises, as they all were undertaken within the geographic area set forth in that document. It is instructive to note, however, that all but one of the original thirteen colonies found as its purpose the Great Commission.

On November 11, 1620, the Pilgrims penned the Mayflower Compact acknowledging that they had "undertaken for the Glory of God, and Advancement of the Christian faith, and the Honour of our King and Country, a Voyage to plant the first Colony in the northern Parts of Virginia...." Sources at 60.

Nine years later, the Puritans obtained permission from King Charles to found the Massachusetts Bay colony with the following statement of purpose:

[Wihereby our said People...may be soe religiously, peaceablie, and civilly governed, as their good Life and orderlie Conversacon maie wynn and incite the Natives of Country, to the Knowledg and Obedience of the onlie true God and Sauior of Mankinde, and the Chistian fayth, which in our Royall Intencon, and the Adventur-

ers free Profession, is the printhis Plantacion.

In 1632, the Lord Baltimore, a Roman Catho-

cipall Ende of Sources at 94.

lic, obtained from King Charles a Charter for Maryland. That Charter, like the ones before it, recited that the colonial enterprise was "animated with a laudable, and pious zeal for extending the Christian Religion..in a Country hitherto uncultivated...and partly occupied by Savages, having no knowledge of the Divine Being...." at 105.

Even the Rhode Island and Providence Plantations Charter of 1663, obtained by Roger Williams recited as its purpose, not just the desire for religious liberty for himself and his fellow settlers, but "the gaineing over and conversione of the poore ignorant Indian natives...to the sincere professione and obedienc of the...[Christian] faith and worship...." Sources at 169.

In the same year the Carolinas were chartered and eight years later, Pennsylvania. In both documents, the colonists recited their desire to propagate the Christian religion by their example of civil order and love of God.

These Charters accounted for seven of the original thirteen colonies. Of the remaining six, five - Connecticut, New Hampshire, New Jersey, Delaware, and Georgia - were carved out of territories of three of the six, Massachusetts Bay, Pennsylvania, and the Carolinas. Only New York, which traced its origin to the 1633 Charter of the New Netherlands, did not rest on the Great Commission, although the original charter included a paragraph urging the colonists "to find out ways and means whereby they may support a Minister... that thus the service of God and zeal for religion not grow cool...".

So whether it was the Anglicans of Virginia, the Puritans of New England, the Catholics of Maryland, the Presbyterians of the Carolinas, the Separatists of Rhode Island or the Quakers of Pennsylvania - reliance upon Christ's commission

to the church united them all.

This is, first of all, significant historically and eschatalogically, because it provides indisGod. hath made of one blood all nations of men for to dwell on all the face of the earth, and hath determined the times appointed, and the bounds of their habitation; That they should seek the Lord...

Adds 17:24, 26-27(a).

putable documentary evidence that the real purpose for the colonizing of America was a missionary one, to extend the Christian faith to a people that did not know God.

Undoubtedly, many who came to America were not motivated by this noble purpose. And, because of hardship and of native resistance to the gospel message, those who came with that purpose oftentimes failed to carry it out.

Notwithstanding the failures of men - and they are far too numerous to list here - God has honored the dedication of America's early founders by sending revival to America generation after generation and by establishing her as the greatest missionary nation that the world has ever known.

But the recitation of the Great Commission is also important politically and legally, for it has provided the only foundation upon which the United States of America may claim its legitimacy as a nation.

CHRISTIAN CIVIL GOVERNMENT

In contrast with the early missionary efforts of Paul and the other apostles, the missonary outreach to America through the Colonial Charters did not seek to evangelize the native peoples solely by individual conversion through the presentation of Christ as personal Savior.

Rather, the colonists sought to win the Indians

to Christianity by establishing civil societies on Biblical principles, expecting that by the Providence of God through their example of a settled and quiet government, the native peoples would become convinced to live in like manner. The 1606 Virginia Charter was the first to establish this as the primary method of evangelizing the Indians. Upon landing "in the northern parts of Virginia," the Pilgrims put that method into operation with the Mayflower Compact:

IN THE
NAME OF
GOD, AMEN.
We...Having undertaken for the
Glory of God,
and the Advancement of the

Christian Faith...Do covenant and combine ourselves together into a Civil Body Politick, for our better Ordering and Preservation, and Furtherance of the Ends aforesaid...." Sources, at 60.

Even those colonizing efforts undertaken outside the auspices of the 1606 Virginia Charter, adopted the method of the Jamestown settlers. The Puritans of Massachusetts spelled out in detail the form of civil government, including the selection of officers and the oaths of office, and the authority of that government to enact and enforce the rules of civil conduct - all for the dual purpose of establishing peace and order amongst themselves and of winning the native peoples to the Christian faith. *Sources* at 93-94.

The Puritans knew, as did their fellow Christians in Virginia before them, that God had established nations, as Paul had put it in his sermon in Athens, so "that they should seek the Lord" (Acts 17:26-27). Moreover, every Charter acknowledged that the King who gave permission to establish a colony ruled "by the grace of God," for as Paul also stated in his letter to the church at Rome: "[T]here is no power, but of God: the powers that be are ordained of God" (Rom. 13:1).

If the purpose of a nation was to encourage its people to seek the Lord, and if a nation's ruler was raised up by God, then it followed that that ruler was really God's servant. And as God's

servant, he was to rule for good, including the good of the church, and not for evil. Rom. 13:4.

By establishing godly civil government, the American colonists would not only accomplish these goals for themselves, but, by doing so they would evangelize the American natives who, as the 1606 Charter put it, were not ruled by any "Christian prince."

The Virginia Charter referred to such absence for good reason. Under international law, no nation could intrude upon the territory of another nation, except as justified by the laws of war. And no Christian nation could claim the right to intrude within the territorial boundaries of another Christian nation to establish a witness for See Alvarado, "Vitoria's New World Christ. Order," Contra Mundum 2-9 (1992).

Where there was no Christian king, it was well established under the law of discovery that a Christian king could establish colonies of settlers who, in turn, would obtain land through purchase, or through adverse possession in those nations where the native peoples were not exercising dominion. Sources at 163-64, n. 5.

The colonists in North America chose both Men like Roger Williams contended, however, that the land could only be rightfully acquired by "purchase and consent" of the native peoples. Sources, at 163-64, 169. It was also Williams' claim that, without such consent, efforts to win the Indians to Christ were doomed.

From the beginning, relations between the colonists and the native peoples ranged from friendly to hostile. In retrospect, one would have to conclude that the optimism expressed in the Charters that the native peoples would be won to Christ by example was misplaced. But it would be a mistake to conclude that the sole reason for this was the failure of the American colonists to be true to their expressed evangelical zeal.

COVENANT SELF-GOVERNMENT

That zeal may have been lost in the colonists' relation with the native peoples, but not in relation with the Mother country. Whatever might have been the Christian witness of godly self-government vis a vis the Indians, that witness would soon undo any imperial ambitions of the English monarchy to keep the American colonies for the glory of England.

The 1606 Virginia Charter provided for local government by appointees of the King. But it guaranteed to the colonists "all Liberties, Franchises, and Immunities...to all Intents and Purposes, as if they had been abiding and born, within this our Realm of England...." Id. at 44.

One of the rights of an Englishman, at least of one who owned property, was that of representation in the English Parliament. Geography. alone, made it impossible for Parliament to represent the American colonists. The Atlantic Ocean was not, however, the major obstacle to Parliamentary authority over the colonies.

Under the English form of government, the king, not the Parliament, had authority over foreign affairs. The Charters, therefore, had been issued by the King, not by the Parliament, and the King was not about to extend parliamentary powers over the colonies.

By making provision for local rule through a Royal Council, it was not long afterwards that the Virginia colonists were agitating for a council composed of their own representatives.

By 1618, under the leadership of Sir Edwin



Sir Edwin Sandys

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Sandys, the Virginia colonists established the first representative legislative assembly in the New World. Sources, at 37-38, 47-48, 52-53. Sandys, a leader of the Reformation Anglicans in the House of Commons, championed representative government and recruited the Pilgrims to leave Holland and to come to America to colonize northern Virginia.

The Pilgrims added to the political claim for representative self-government, the theological

basis for it. As l Scriptures the affirmed the right of believers to associate and covenant to form a church,

The document [Mayflower Compact] represents the application to the affairs of civil government of the philosophy of the church covenant which was the basis of Puritan theology.

Richard Perry in Sources of Our Liberties

fore assotiate. and conjoyne our selues to be as one Publike

The Preamble to that document provides irrefu-

FORASMUCH as it hath pleased Almighty God by the wise disposition of his diuyne pruidence so

to Order and dispose of things that we...are

now...dwelling...vppon the River Conectecotte... and well knowing where a people are gathered

togather the word of God requires that to mayn-

tayne the peace and vnion of such a people there

table evidence of the Biblical origin of covenant

self-government in America:

State...to mayntayne and prsearue the liberty and purity of the gospell of our Lord Jesus.... Sources, at 120.

So the right of self-government by consent of the governed became established in America through the local legislative bodies under each of Those bodies, in turn, the colonial charters. were commissioned by the people to govern in accordance with the laws of God, as they were enforceable in the civil order.

William Penn developed this point in his 1682 Frame of Government of Pennsylvania. Quoting from I Timothy 1:8-9 and Romans 13, the Preface to that document affirmed the duty of the civil magistrate to rule according to law was "a part of religion itself, a thing sacred in its institution and end." Sources, at 209-10.

As for the end of civil government, Penn claimed that whatever the form of government monarchy, aristocracy, or democracy - good government existed "where the laws rule, and its people are a party to those laws." If the rule of law did not prevail, then there would be "tyranny, oligarchy, or confusion." Id. at 210.

so the people have a right to associate and covenant to form a civil government. They put that theology into practice with the Mayflower Compact, forming a local self-governing colony bedisembarking from the Mayflower. fore Sources, at 57.

So the claim of royal prerogative in colonial America was checkmated. Local legislative assemblies with power to govern became commonplace throughout the English colonies.

The 1618 Ordinances for Virginia led the way, establishing two councils. One of the councils was to be composed of men appointed by the King, with executive and judicial power. legislative power was conferred on the General Assembly, composed of the first council and "two Burgesses out of every Town, Hundred, or other particular Plantation, to be respectfully chosen by the Inhabitants...." Sources at 52-53.

Future Charters would include provision for at least one branch of the local legislative assembly to be elected from the governed, although local self-government did not come without a struggle. See, e.g., Sources at 76-81.

By the mid-seventeenth century, however, covenant self-government began to predominate in Virginia and in New England, as best evidenced by the Fundamental Orders of Connecticut of 1639, heralded by modern students of American history as "the oldest truly political Constitution in America." Sources at 115.

LESSER CIVIL MAGISTRATES

This Biblical understanding of the purpose of government reinforced the 1606 Virginia Charter commitment to the preservation of the rights of Englishmen. With that commitment firmly established in the Charters, and with local representative assemblies firmly in place, the stage was set for the momentous encounters between the American colonists and the English Parliament which would lead eventually to the independence of the United States of America.

If there was a battle cry of the American Revolution, it was "no taxation without representation." From 1765, when the Stamp Act Congress called for the repeal of certain taxes imposed by Parliament on the colonies, to 1776, when the Congress declared America's independence, America's leaders claimed that, as Englishmen, they could be taxed only by their local representative assemblies.

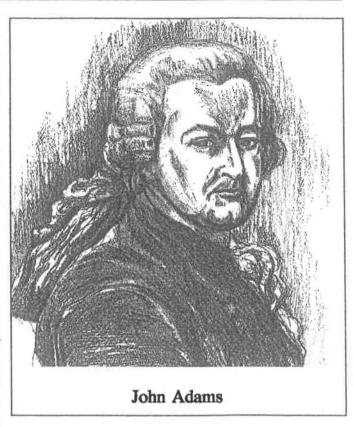
John Adams and others traced this right first to the Magna Carta, the thirteenth century charter that had become the fountainhead of the rights of Englishmen. *Sources*, at 10. Later, when armed resistance appeared more imminent, Adams and his fellow patriots claimed that the right of the people to be taxed by their representatives was not only one of the rights of an Englishman, but a right of the people in all free governments. *Id.* at 275, 287.

It was one thing to claim the right, it was quite another to act upon that claim. Without question, the American colonists could have refused to pay any tax levied upon them by the English Parliament. In refusing to pay such a tax, they would have made the same appeal as had the early Church in Acts 5:29: "We ought to obey God and not men."

But disobedience was not the same as armed resistance. To take up arms against a civil ruler was not covered by the example of the Church chronicled in the Book of Acts.

Adams sought support elsewhere and found it in a sixteenth century political tract, *Vindiciae Contra Tyrannos*, written by a French Huguenot.

Drawing on John Calvin's exegesis of Romans 13 where Calvin denied to the individual the right to resist an ungodly ruler, but granted such right to a "lesser magistrate," the Vindiciae was utilized in America to support the proposition that the colonial assemblies, as lesser magistrates, had the right to call the people to armed



resistance to English tyranny. D. Kelly, *The Emergence of Liberty in the Modern World* 29-30, 44-47, 132-33 (1992).

Had the colonists not formed these local assemblies as their preferred means for carrying out the Great Commission, this claim would not have been possible. The Declaration of Independence could not have been written, for it was inscribed by men who acted on behalf of the people as their representatives. And without a claim of right to take up arms to resist George III and the English Parliament, the people would not have rallied to the revolutionary cause.

CONCLUSION

When the founders of Virginia wrote the 1606 Charter, they could not have known the events that would unfold in the next 170 years. By the Providence of God they acted in such a way as to lay the seedbed for American independence and liberty. If that independence and liberty is to be preserved, we must return to the godly principles of the Great Commission lest God withdraw His grace and mercy from us.

HENRICUS COLLEDGE (1619), INC.

P. O. Box 599

Williamsburg, Virginia 23187 Telephone: (804)253-0984

The original 1619 Henricus Colledge (founded a year before the Mayflower Pilgrims, 19 years before Harvard, and 74 years before William and Mary) was a central part of the mission of the Virginia Puritans to purposefully develop a comprehensive system of civil & religious liberties. Modeled after Trinity College in wild Ireland as a ministry itself, it was to be partly for indigenous people, partly for settlers. Widespread support included Hakluyt, the Ferrars, Wolstenholme, & anonymous donor "Dust & Ashes". Progress was hindered by the 1622 Good Friday Indian Massacre, suppressed along with the Virginia Co. in 1624, nearly resumed in 1661, eventually devolved into William and Mary in 1693 (Rector Blair, like earlier Copland, alumnus of Marischall College-Scotland).

In 1992 "America's First College" was revived name educational spirit and in Judeo-Christian teaching ministry, adapted for American heritage research & continuing education. Focus is upon the story of America's testimony to the truth of the Gospel. Within the Great Commission (Mt. 28: 19-20), the intent is edification (II Tim. 3:16-17). A Virginia not-for-profit recognized by the State Council of Higher Education as "Exempt from State Approval". BOARD OF VISITORS: Steven C. Smith, Chairman; Clifford W. Kelly, Ph.D., Vice-Chair; Gary T. Amos, J.D., Secretary; Steven F. Petrine, M.A., Treasurer. Individual support for this Ministry is encouraged thru membership as an "Adventurer" and contributions.

THE FORECAST 5209 Indian River Rd. Virginia Beach, VA 23464

From past issues:

America's Nobility - "A former Congressman who retired in the late 1970's with an annual pension of \$16,000... (receives) \$60,000 per year today... With the annual COLA provision the retired members of Congress have virtually isolated themselves from the rest of the people in America. The very notion of developing a retirement system for [elected] public officials was anathema to America's founders (and prohibited by) the constituional ban on titles of nobility."

Messianic Medicine - "If some form of the Clinton-envisioned health security system becomes law, it will mark a final dramatic step in America away from a privately administered health care system that once was dominated by charity and the church to one dominated by regulations and the state."

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THE FIRST CHARTER OF VIRGINIA; APRIL 10, 1606





Under the charter of 1606 James the First granted the right to settle between paralles 34 and 45, without, however, yielding English claims above 45 and below 34. The continental expanse Elizabeth had named Virginia, and the curved line indicates the Queen's grant to Sir Walter Ralegh in 1584.

"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 Thorn as Gales, and Sir George Somers, Knights, Richard Hackluit, Clerk, Prebendary of Westminster, and Edward-Maria Wingfield, Thomas Hanharm and Ralegh 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 Licence, 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 "hereunto adjacent, or within one hundred Miles of the Coast thereof;"



THE CAPE HENRY CROSS

April 29, 1607

Act One, Scene One of the unfolding drama that became the United States of America. The first English settlers landed at Cape Henry, planted a wooder cross and claimed the land for God. Chaplain Robert Hunt led that historic first prayer service asking God to guide their destiny to spread the gospel.

April 29, 1996

Commemorating the first Cape Henry service, Pat Robertson and the CBN staff prayed that America might fulfill her destiny to proclaim the gospel to all nations. Inside this wooden cross are the names of thousands of CBN Partners joining with the ministry's Global outreach.

