

**Transactions of the Forty-fifth
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Dr. John Pott: Maligned early patriot

Presidential address

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Norfolk, Virginia

And cheerfully at sea
Success you still entice,
To get the pearl and gold,
and ours to hold
VIRGINIA
Earth's only paradise!
MICHAEL DRAYTON
(*Drayton's Works*, London, 1620)

Historians have not always been kind to the first permanent Physician-General assigned to the Virginia Colony in 1621. He was accused of hog killing, malpractice, cattle stealing, poisoning a large number of Indians, fraternizing with inferior persons, carousing, mutiny, and treason; he was arrested, and one time clamped in irons. However, he was a respected physician (even by his enemies), the first citizen of Williamsburg, a teacher, populist, and democratic politician. Dr. John Pott was the first physician to be elected governor by his peers and, therefore, one of only two physicians ever to hold the office of Chief Executive of the Commonwealth.¹ He was also a leader in the first revolutionary activities against the absolute authority of the

Crown. The career of this unusual physician is presented in some detail.

Two physicians had served the Virginia Colony by 1620, but neither remained any length of time. The Virginia Company of London was very interested in having a man of quality as Physician-General to the Colony. John Pott, son of Grace and Henry Pott of "Harrop," Cheshire, was acquainted with Latin, Greek, and Hebrew.^{2, 3} He received a Bachelor of Arts degree in 1610-1611¹ and a Master of Arts degree from Cambridge in 1614.⁴ He was recommended by Dr. Theodore Gulston, celebrated Physician and the Censor of the College of Physicians.⁵ He affirmed him "Well practiced in Chirurgerie and Phisique, and expert also in distilling of waters, and that he had many other ingenious devices."⁶

Dr. Pott accepted the position and with his wife, Elizabeth, left England. They sailed aboard the *George*, a vessel of 180 tons, with governor-elect Sir Frances Wyatt and 120 persons. They arrived late in November, 1621.⁷ Dr. Pott was allowed to bring with him a ten-pound chest of books and a twenty-pound chest of phisique, probably containing the tools of the time, such as opiates, purging pills, juleps, cordial waters, and perhaps a few primitive instruments. These were to be used to treat swellings (beriberi), scurvy, ague (malaria), fluxes and bloody flux (dysentery), influenza, and wounds inflicted by the Indians.^{6, 8} Supposedly he became a man of property. An allotment of five hundred acres of land and ten servants went with the position, as well as an appointment to the Council.^{6, 9} The Council was the upper chamber of the General

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Fig. 1. Early American house call.

Assembly established in 1619 as the first representative legislative assembly in the New World.¹⁰ This allowed the colonists to have their elected representatives share in the making of laws and the levying of taxes.¹¹

Trouble was not long in coming to Dr. Pott. The Indian Chief, Opechancanough, staged a well-planned conspiracy on Good Friday, March 22, 1622, to rid his land of the colonists. Three hundred fifty or more colonists were killed out of a total population of approximately twelve hundred and forty.^{12, 13} It is likely that most of the colony would have been destroyed except for the Indian, Chanco, a convert to Christianity, who was living with Richard Pace. They had enjoyed a father-son relationship and Chanco warned him of the planned attack. The governor was notified by Pace and this spared most of the colonists within a five-mile radius of Jamestown.¹⁴ The colonists, not slow in seeking vengeance, declared war. While making a pretense of a peace treaty with the Indians on May 22, 1623, Captain Tucker proposed a toast with wine which supposedly had been doctored by Dr. Pott. It was estimated that some two hundred savages died from drinking the poisoned wine.¹⁵ The details of this are not known, but it enabled Sir Robert Rich, Earl of Warwick (Dr. Pott's influential enemy) to have him removed from the Council in 1624.¹ This was because "He was the poysoner of the salvages thear."¹⁶ We may assume, since his name was restored to the Council in 1626, that on more thorough investigation the charge was erroneous and no details of this affair remain.^{1, 17} The colonists would not have been upset even if the charges

were true. They had seen settlers killed and wives scalped before their eyes and would only think of Dr. Pott as a hero.^{18, 19}

In 1625, Dr. Pott was involved in what some have considered the earliest malpractice suit involving obstetrics in America.²⁰ A Mrs. Blany did "miscary with a child," supposedly because of a lack of hog's flesh. According to the testimony of Richard Townsend, Dr. Pott's apprentice, the hogs were rooting in his master's cornfield and were promptly killed because of the extensive damage to the crop. They were then eaten, thus denying Mrs. Blany the hog meat which she so desired. The court decided no damages were due for "denying her a peece of Flesh, whereupon shee miscaried."²¹ This case probably bears more resemblance to a petty quarrel than medical malpractice.²²

Dr. Pott again appeared in court in 1626 with another prominent citizen, Mr. William Claybourne, the Secretary of the colony. Secretary Claybourne claimed "certayne cows" in Dr. Pott's possession belonged to him and should be returned. However, Dr. Pott later established his ownership of the cows in question to the satisfaction of the court.²³⁻²⁵ The problem of wandering livestock doing great damage to growing crops was a very common one to the early settlers. The fences were few and not particularly sturdy and ownership of the animals was not always easily established.¹⁸

The same year Richard Townsend, Dr. Pott's apprentice, petitioned the court because he felt that Dr. Pott was neglecting his teaching. The court ordered that "Mr. Doctor Pott doe henceforth from time to time



Fig. 2. "He kept companie with his inferiours."

endeavor to teach and instruct the said Richard Townsend in ye art of an Apothecary."²⁶ Dr. Pott must have been a good teacher, since Richard Townsend later became quite successful, although there is no certainty that he ever practiced his profession.²⁷ Richard Townsend came to the colony in 1620 at the age of fourteen. He was Dr. Pott's apprentice from 1621-1627. He evidently received a well-rounded education, for Captain Townsend went on to become a member of the House of Burgesses in 1628. Later he was a justice in York County and a member of the Council. Townsend also accumulated large land holdings. To quote Dr. Blanton, a medical historian; "Six years of study under the well-educated Dr. Pott set him above his fellows, among whom there was little of reading and writing."²⁸

There are few records of Dr. Pott's practice, although the court records do show some references to fees. Sir John Harvey, his greatest enemy, even testified to his skill in diagnosis and therapy.²⁹ It would be difficult for us to ever imagine the problems facing our early physician forefathers. The death rate was appalling and the tools at Dr. Pott's disposal were certainly limited. Picture him in knee breeches, stockings, hat, and heavy shoes making calls on foot. First, he had traveled by boat to get to the distant settlement (Fig. 1). The court even ordered a boat built for him in 1627 for this purpose and we can visualize Dr. Pott traveling up and down the creeks in the dead of winter with ice and snow covering the banks.^{30, 31} The welcoming committee in summer would be swarms of disease-carrying

mosquitoes. Perhaps lurking in the underbrush would be Indians waiting for a chance to attack.

It is documented that from November, 1619, to February, 1625, four thousand five hundred and fifty-four colonists died. There were about nine hundred settlers in Virginia in 1619 and by February, 1625, four thousand seven hundred and forty-nine emigrants had joined them.³² Thus, there was a mortality rate of almost eighty percent. It has been estimated that twice as many colonists died from the plague in 1623 as died from the Indian massacre of 1622.^{33, 34} There can be little doubt that Dr. Pott was indeed a busy practitioner.

The leading causes of this terrible mortality rate were famine, beriberi, scurvy, typhoid, dysentery, plague, yellow fever, and malaria.⁸ The medications available to Dr. Pott were probably sassafras root to treat disease of the eye, dysentery, and nephritis; sassafras bark used to treat gout, rheumatism, and syphilis; snake root (*Serpentaria*) for use in treating typhoid and digestive disorders. Opiates were used for the relief of pain. The other popular regimens of the time were vomiting, sweating, blistering, cupping, the use of the clyster for a more effective purge, and the ever-popular phlebotomy.³⁵

The patients were frequently housed in Dr. Pott's home. The first hospital, built in America in 1612 at Henricopolis, was destroyed in the Indian massacre of 1622 and never rebuilt.³⁶ The Pott home and lot of three acres were located on the north of Back Street in Jamestown.³⁷ This home would probably have a "great room" on the first floor, perhaps 16 by 20 feet, which

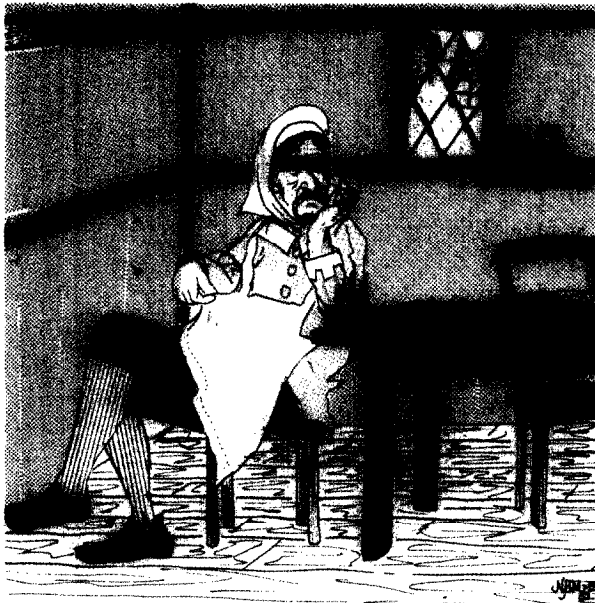


Fig. 3. Thomas(ine) Hall.

was the living, dining, and cooking area. Upstairs there would be two tiny windows in a so-called garrett room, or loft, which was the sleeping area. It is thought that probably the only house with two downstairs rooms in the colony in the 1620s was the Governor's Mansion.³⁸ The Pott land was enlarged by nine acres to the rear in 1628. Captain John Harvey was across the street. On Dr. Pott's west was the home of Captain William Pierce where George Sandys, the poet, had a room.³⁷

Elizabeth Pott did not have an easy job. She not only acted as a nurse, midwife, and substitute doctor, but she also had to feed and house the apprentices as well as sick patients in this small home.³⁹

Dr. Pott has been described as a jovial, easy-going man of unquestioned ability with a fondness for company and perhaps the fruits of the vine.⁴⁰ It is unfortunate that one of the most frequent quotations used by historians came from his neighbor, the poet George Sandys. He wrote in a letter dated April 9, 1623, "He kept companie too much with his inferiours, who hung upon him, while his good liquor lasted"⁴¹ (Fig. 2). Such behavior would certainly be considered eccentric and unacceptable to the fluid society of early Virginia.⁴² After all, the councilors and governor were the titular leaders of society. The acquisition of land could elevate one to a higher social position.⁴³ This is well illustrated by the success of Richard Townsend, who progressed from indentured servant to large landholder and councilor.²⁸ Such downward mobility as drinking with the common folk would be scandalous.⁴² Dr. Pott had some other rather democratic ideas which suggested the first class conflict in America. He championed the cause of the small farmers in their efforts to prevent the large land holders from controlling the waterfront

property and most desirable tracts of land.¹⁸ However, Dr. Pott did accumulate property himself. There was the property in Jamestown and later he patented land at the head of Archer's Hope Creek. This was the beginning of Middle Plantation, which later became Williamsburg. Thus, Dr. Pott was the first citizen of Williamsburg. This home he named "Harrop" after his ancestral estate in England.^{18, 44}

Dr. Pott, whatever his faults, was held in some esteem by his peers. In 1629, he was elected to the highest office in the colony by his fellow councilors and we may assume with the tacit approval of the 46 elected burgesses.^{45, 46} It seems doubtful that the General Assembly, established by the Virginia Magna Charta (the cornerstone of liberty in the colony and America), would approve anyone of their own to be Governor unless he was most able and respected.¹⁰

Historians frequently refer to him as Acting or Deputy Governor. However, further research reveals he was a full governor in his own right.⁴⁷ During his term the General Assembly was convened twice and he was instrumental in establishing the earliest local courts and rights of appeal.^{2, 48} A crisis occurred in October, 1629, when Lord Baltimore and his party arrived in Virginia. Lord Baltimore was planning the founding of a new colony in Virginia. The colonists were most reluctant to give up any of their land or to accept a band of Catholics in their midst.⁴⁹ Dr. Pott astutely rendered to Lord Baltimore a left-handed welcome. He tendered to him the oath of supremacy to the King which no devout Papist could accept. This oath acknowledged the English sovereign the supreme authority in all ecclesiastical matters.⁴⁹ Lord Baltimore's wife and children were treated hospitably for several months in Jamestown when he sailed back to England to press the claim for his new colony.⁵⁰ The Governor and council also further vindicated Virginia hospitality by sentencing one of the colonists to the pillory for two hours because he had called Lord Baltimore a liar and "threatened to knock him down."⁵⁰

A medical case of some interest to gynecologists occurred in court in 1629, with Dr. Pott as the presiding officer. The case involved a servant, Thomas or Thomasine Hall, who would have to stand trial depending upon his (her) sex for busing "greate Besse." The magistrates decreed that "Hee is a man and a woeman." The verdict rendered was that henceforth he or she must wear men's clothing, "only his head to be attired in a Coyfe and Croscloth with an Apron before him"⁵¹ (Fig. 3).

The stage was then set for our educated, convivial, popular, democratic Physician-General and Governor of Virginia to make his place in history. We see, through the pages of history, Dr. Pott as a leader in the first opposition to the absolute authority of the Crown and its representative, which reappeared later leading

to Bacon's Rebellion, the Revolutionary War, and Independence.

Captain John Harvey, now Sir John by royal edict, arrived in the Spring of 1630 as the new governor. He was well known to the colonists, having served on the unpopular commission sent by James I in 1623 to obtain evidence detrimental to the colony. He was described as a former ship captain used to absolute control and somewhat choleric and impatient.⁵² He was a friend of Lord Baltimore and probably the Earl of Warwick, so we may assume he was well informed about the activities of Dr. Pott.^{53, 54} Sir John would prove to be one of the worst of many bad colonial governors as he trampled upon the liberties of the people and administered injustice and oppression.⁵⁵

Sir John evidently wished to show the people that he was in charge. One of his first acts was to try to completely destroy and humiliate the former governor, Dr. Pott.⁵⁵ Dr. Pott was charged with "pardoning a wilfull murther, marking other men's cattell for his own, and killing up their hoggs."⁵⁶ We do not know if two of these charges, hog killing and cattle stealing, were related to the earlier cases of Mrs. Blany and Secretary Claybourne. After being confined to his home, the irrepressible Dr. Pott promptly released himself. He was arrested by Governor Harvey and put under guard. Dr. Pott refused bond, preferring to stay under arrest until his trial.⁵⁵ This was a strange turn of events, for the governor who had first liberalized the courts was now to make history as the defendant in the first trial by jury in America.⁵⁷ On July 9, 1630, the late governor was indicted, arraigned, and found guilty of stealing cattle by thirteen jurors, three of whom were fellow councilors.⁵⁸ There is some doubt cast on this verdict, for Governor Harvey immediately suspended his sentence and wrote to the King for clemency. This was done in consideration of his "quality and practice," and, Sir John stated, he was "skilled in epidemical diseases."^{40, 59} Sir John's motives can be found in the following quote, "It will be," he said, "a means to bring the people to . . . hold a better respect to the Governor than hitherto they have done."⁶⁰ Thus, Sir John could reveal his power both to punish the powerful and, through his influence with the King, pardon the lowly criminal.⁶⁰

Elizabeth Pott, although ill, supposedly became the first colonial wife to cross the stormy Atlantic to plead the cause of her husband before the King.^{60, 61} This must have been a dreaded trip in a vessel of perhaps a hundred tons loaded with many hogsheads of tobacco. The voyage took at least two months or longer and probably was accompanied by a severe case of mal de mer. The sentence rendered by the court now seems even more questionable, as the Commissioners for Virginia, after hearing her petition, stated, "There appeared no proof to justify the proceedings against her

husband's life or estate."⁶² The King pardoned Dr. Pott and restored his estate, but not his place on the council. The Virginia Commissioners further reported to the King, "That condemning him of a felony was very rigorous, if not erroneous." They also stated there seemed to have been "some hard usage against him."^{60, 63}

Dr. Pott returned to "Harrop" and the practice of medicine but kept a watchful eye on the governor. The administration of Sir John Harvey was a constant source of irritation to the colonists. He ran the Ship of State as if he were on the quarter deck of an English vessel fighting on the high seas.⁶⁴

In 1634, the political pot came to a boil when Leonard Calvert, governor of Maryland, arrived in Virginia with two vessels and over three hundred men to plant a new colony on Virginia soil.⁶⁵ Governor Harvey offered them all the support at his command and this caused much anguish to the Virginia colonists.⁶⁵ Virginians, under William Claybourne, had established a trading settlement on Kent Island in the upper Chesapeake Bay in 1631.⁶⁶ They did not welcome the settlement at nearby St. Mary's. Several months later what is assumed to be the first naval battle in North American waters occurred between the Claybourne and Calvert partisans and several men were killed.⁶⁶

While this was going on, Governor Harvey was being entertained at what might have been the first Governor's Conference in America, as he was making an official and friendly call on Governor Calvert.⁶⁶

This was too much for the Virginians. Some of the councilors and leading citizens were now holding secret meetings to discuss the Governor's activities.⁶⁷ Dr. Pott was a leader in the popular discontent and was making political house calls from plantation to plantation.⁶⁸ He had written a petition which accused the Governor of unfair taxation, want of justice, and ignoring the danger of a second massacre.⁶⁹ Sir John then sent several friends to spy at a meeting held in the house of William Warren in York. They surely heard many uncomplimentary statements and so informed the Governor. The raging Governor summoned the council to meet and, sensing the leading offender, ordered Dr. Pott arrested. He was placed in irons with several other of the offenders.⁶⁸ Sir John and his allies felt that they knew whom to blame. The writing was by Dr. Pott, "whom we find to be the incendiary of these broils."⁶⁹ The feelings were certainly returned, for, when surrendering the offending petition, Pott stated, "That if he had offended, he did appeal to the King, for he was sure of noe justice from Sir John Harvey."⁷⁰ This stormy meeting of the council then ended with Governor Harvey wishing the trial to be by martial law, which the council refused.⁷⁰

The next meeting of the council in the Governor's house was a stirring session. Governor Harvey stated to one of the councilors, "I arrest you upon suspicion of



Fig. 4. Dr. Pott signals the Musketeers.

treason to his Majestie." However, the tables were turned as they seized the Governor and said, "And we arrest you upon suspicion of treason to his Majestie." Then surely Dr. Pott's finest moment came as he signaled and forty armed musketeers came out of their hiding places and ran toward the house (Fig. 4). Now the Governor was under constant guard and the offenders were free.⁷¹ There is a terse statement in the colonial papers about this momentous affair: "On the 28th of April 1635, Sir John Harvey thrust out his government; Capt. John West acts as governor, till the King's pleasure known."⁷²

The General Assembly was called into session to confirm the action of the councilors and draw up resolutions about the misconduct of Governor Harvey. These documents were entrusted to Thomas Harwood to take to the King. The now ex-Governor, Sir John Harvey, Dr. Pott, and Harwood sailed on the same vessel to England and they must have made a very congenial group of shipmates. Sir John was not without guile, for as soon as the ship docked, he contacted the Mayor of Plymouth. Dr. Pott was arrested, "as the Principal author and agent thereof," of the "late mutiny and rebellion" in Virginia and he was confined in Fleet Prison. All the documents entrusted to Thomas Harwood were seized.^{71, 73}

There is some confusion in the texts and old records whether it was Dr. Pott or his brother, Francis, who accompanied Sir John on the voyage and later was confined to Fleet Prison. However, all the principals involved in the thrusting out of Sir John were eventually summoned by King Charles to answer the charge of treason before the Star Chamber.^{71, 74-77}

Sir John Harvey was reinstated as governor by King

Charles. He returned to America determined to seek vengeance on his enemies while they were in England awaiting trial.⁷⁸ However, King Charles neglected the case and no charges were processed. Dr. Pott, his brother Francis, and the others continued their attack on Sir John, in both England and the colony. He was replaced in 1639 and brought to trial for all his injustices and forced to restore his ill-gotten gains.^{79, 80}

Dr. Pott had lived to see true justice served upon his enemy. He died about 1642 and left no heirs.² Whatever his human frailties, Dr. Pott had a vital part to play in the first revolutionary activity of the Virginia Colony, forty-one years before Bacon's Rebellion and one hundred forty-one years before the Declaration of Independence.

Dr. Pott and his fellow patriots overturned the appointed executive authority of the Crown without bloodshed. They showed a scrupulous regard for legal and democratic principles, taking their actions for approval to the elected representatives of the people.^{81, 82} Their bravery should not be forgotten. The charge of treason in Seventeenth Century England usually ended with the fall of the executioner's axe.

It seems appropriate that we should thank Dr. Pott. His ability, courage, and individualism led him toward the path of freedom. Dr. Pott and the other early patriots took the first footstep to freedom that allows us to practice in a free country and guarantees all of us the right to "life, liberty, and the pursuit of happiness."

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