

### *Benjamin Syms and the Syms Free School*

On the north side of Langley Air Force Base, past the horse stables, across the Tabbs Creek bridge, and near the munitions storage area, lies the site of a nearly forgotten American milestone--the first free school in America, the Syms Free School.<sup>11</sup> This school, regarded by some as the forerunner of the American public school system, provided a free education for the poor. The existence of such a school should come as no surprise to anyone familiar with the history of colonial Virginia. In 1619, twelve years after landing at Jamestown, English settlers, while in legislative assembly, discussed the opportunity to take advantage of King James I's 1617 "Letters Patent" to raise funds for a college at Henrico and a "free school" at Charles City (later City Point) with academic connections to the college. Unfortunately, the great Indian uprising of 1622 abruptly halted this undertaking. Shortly thereafter, on 22 November 1624, Edward Palmer of London, England, bequeathed his lands in Virginia and New England as a basis for the establishment of an "academy" in North America. However, his wishes--like those behind the 1619 effort--never came to fruition. Others such as Benjamin Syms would try to start a free school with varying degrees of success; by 1705 Robert Beverley noted in his *History of Virginia* that the colony had provided grants through private donations such as "land, houses and other things" for the establishment of "free schools."<sup>12</sup>

Recorded history first mentions Benjamin Syms, a man who could neither read nor write, in the muster of Basse's Choice (now Isle of Wight County) in 1624. He is listed as a member of the household of Thomas Bennett and his age is given as 33. The year of his arrival in Virginia is unknown. In 1625, his name appeared in the minutes of a court at James City in connection with the estate of Nathaniel Hawkswoorth and again on 11 October 1627 over the passage money of one Joan Meatheart. The latter case involved the matter of Syms paying the passage of Joan Meatheart to the colony, perhaps for the purpose of marriage. However, they took a dislike to each other; since Syms lived with Bennett and had no household of his own, it was decided that she serve her two years with John Gill, who in exchange compensated Syms with 100 pounds of tobacco and the services of one manservant for three years. Two years later, in 1629, Thomas Warnet, a merchant of Jamestown, left by will "one weeding hoe" to Benjamin Syms. This, together with his will of 1635, completes the known record of the founder of the first free school in America.<sup>13</sup>

Although a resident of Isle of Wight, Benjamin Syms owned a tract in Elizabeth City County (Hampton). How he obtained the land is not known but the terms of his

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<sup>11</sup> "Langley Air Force Base, Langley Field Historic District Cultural Resources Management Plan," 1998, Appendix A, "Archaeological Prehistoric/Historic Context and Predictive Model," p A-20.

<sup>12</sup> "Education in Colonial Virginia, Part III, Free Schools," *William and Mary College Quarterly Historical Magazine*, 6 (1897): pp 71-76.

<sup>13</sup> *Ibid.*, p 73; Moncure D. Conway, [Reply to A Critic], *The Virginia Magazine of History and Biography*, 1 (1894): pp 345-350; William Waller Hening, ed., *The Statutes at Large: Being a Collection of all the Laws of Virginia from the First Session of the Legislature, in the Year 1619* (Richmond, VA, 1809-1823), 6: pp 389-392; Helen Jones Campbell, "The Syms and Eaton Schools and their Successor," *William and Mary College Quarterly Historical Magazine*, 20 (1940): pp 1-3. Campbell has appended to this article 15 historical documents (wills, petitions, etc).

will, dated 12 February 1635,<sup>14</sup> suggest that he received lands in Elizabeth City County in return for the transportation of settlers to the colony. Although he had no formal education--his will was marked with an "X" instead of a signature--Syms' will provided:

two hundred Acres of land lying in the old Poquoson River and Eight Milch Cows. I bequeath it as follows Viz the use of the said Land with the Milk and Increase Meate of the said Cattle to be for the Mantayance of an honest Learned Man to keep upon the said Ground a free school to Educate & teach the Children of the adjoining Parrishes of Elizb City & Poquoton (Viz) from Mary's Mount downwards to the Posquoson River.<sup>15</sup>

The money arising from the first increase of the cattle was to be used to build a schoolhouse, and the profits from the subsequent sales of cattle, after other expenses had been paid, were to be used to "manteyne poor Children, or decayed or maimed persons of the said parish."<sup>16</sup> The Syms legacy appeared years before John Harvard devised his much celebrated will to provide for a college near Boston, Massachusetts.<sup>17</sup>

In March 1643, the Virginia legislative assembly accepted Syms' will by passing a statute certifying its applicability. Although the exact date of the opening of the school is unknown, undoubtedly not much time passed between Assembly confirmation and the commencement of operations. In 1647, it was noted in a report entitled "A Perfect Description of Virginia" that, thanks to Benjamin Syms, a schoolhouse had been erected and the number of cows had increased: "we have a free school, with two hundred acres of land, a fine house upon it, forty milch kine [cows] and other accommodations."<sup>18</sup> The Syms Free School persisted in its educational operations, although by 1724 another observer recorded that the institution remained "endowed, though very meanly" so.<sup>19</sup>

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<sup>14</sup> Occasionally, one will find the date given as 12 February 1634/35. There are two reasons for this: a) England did not adopt the Gregorian calendar until 1752; and b) prior to 1752, 25 March (Annunciation Day) marked the start of the English new year, not 1 January.

<sup>15</sup> "Education in Colonial Virginia, Part III, Free Schools," *William and Mary College Quarterly Historical Magazine*, 6 (1897): p 73; Moncure D. Conway, [Reply to a Critic], *The Virginia Magazine of History and Biography*, 1 (1894): pp 345-350; William Waller Hening, ed., *The Statutes at Large: Being a Collection of all the Laws of Virginia from the First Session of the Legislature, in the Year 1619* (Richmond, VA, 1809-1823), 6: pp 389-392; Helen Jones Campbell, "The Syms and Eaton Schools and their Successor," *William and Mary College Quarterly Historical Magazine*, 20 (1940): pp 1-3; "Will of Benjamin Syms" from a certified copy in the Elizabeth City County Petition, 19 December 1803, included in Thomas Wheaton, et al., *Archaeological Site Survey and Testing: Langley Air Force Base, Virginia* (Stone Mountain, GA, 1992), pp 75-77; Rosemary Corley Neal, ed., *Elizabeth City County, Virginia: Deeds, Wills, Court Orders, Etc., 1634, 1659, 1688-1702* (Bowie, MD, 1986).

<sup>16</sup> ; "Will of Benjamin Syms" from a certified copy in the Elizabeth City County Petition, 19 December 1803, included in Thomas Wheaton, et al., *Archaeological Site Survey and Testing: Langley Air Force Base, Virginia* (Stone Mountain, GA, 1992), pp 75-77.

<sup>17</sup> "Education in Colonial Virginia, Part III, Free Schools," *William and Mary College Quarterly Historical Magazine*, 6 (1897): p 72.

<sup>18</sup> *Ibid.*, p 73; Helen Jones Campbell, "The Syms and Eaton Schools and their Successor," *William and Mary College Quarterly Historical Magazine*, 20 (1940): pp 3-4.

<sup>19</sup> Helen Jones Campbell, "The Syms and Eaton Schools and their Successor," *William and Mary College Quarterly Historical Magazine*, 20 (1940): p 8; F. M. Armstrong, *The Syms-Eaton Free School: Benjamin Syms, 1634, Thomas Eaton, 1659* (Hampton, VA, n.d.), p 6.

Seemingly, the years of the second quarter of the eighteenth century were lean ones for the Syms Free School because in November, 1753, the Virginia Assembly intervened in the affairs of the institution. Declaring that Benjamin Syms' "intention ... hath not been effectually fulfilled," the colony's lawmakers passed a statute altering the management of the school. The new law placed the Syms Free School under the supervision of the Justice of the Peace in Elizabeth City County, charging him with the responsibility of seeing that the parish's Anglican minister with the assistance of the church wardens used the Free School's land and other assets in a manner to ensure its support and continued operation.<sup>20</sup>

Shortly thereafter, the Assembly enacted a law designed to ensure the survival of the school by allowing the trustees to offer long-term leases of school land to interested parties as a means of financing the institution. One such interested person was George Wythe, famed lawyer and one of the signers of the Declaration of Independence, whose plantation house, Chesterville,<sup>21</sup> was located along the Back River (today NASA property). The date Wythe first leased Syms Free School land is unknown. An Elizabeth City County document, dated 15 July 1760, records the renewal of George Wythe's lease of all of the Syms Free School land, with the exception of one acre at the southwest corner where the school was located, for the annual sum of thirty-one pounds and five shillings. Wythe was to supply the school with "four good milch cows in the month of April in every year during the said term; to be returned to their calves in good order in the November following." This was apparently a lease in perpetuity, for it passed from Wythe to his heirs--it remained in the family's hands until 1805.<sup>22</sup>

The historical trend, however, was against the survival of the Syms Free School. The economic and social dislocation caused by the American Revolutionary War, 1775-1781, apparently made school support a risky proposition. By the beginning of the nineteenth century the Syms Free School, as well as another local free school (Eaton

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<sup>20</sup> Helen Jones Campbell, "The Syms and Eaton Schools and their Successor," *William and Mary College Quarterly Historical Magazine*, 20 (1940): p 10. "Education in Colonial Virginia, Part III, Free Schools," *William and Mary College Quarterly Historical Magazine*, 6 (1897): p 75, notes that during the 1720s "much pecuniary loss befell" the Syms Free School owing to the depredations of "trespassers who cut down the timber" and the failures of tenants to pay their rents.

<sup>21</sup> Designed by Thomas Jefferson, Chesterville was constructed by George Wythe in 1771. It was purchased, along with the Syms School tract, by Houlder Hudgins, in 1809. At some point after Houlder Hudgins' death in 1815 Chesterville passed to Antoinne Schmeltz, who presented it as a wedding gift to his daughter, Fannie Causey, and her husband, Robert Scott Hudgins II, the grandson of Houlder Hudgins. It remained their home until destroyed by fire in 1911: see Garland C. Hudgins and Richard B. Kleese, eds., *Recollections of an Old Dominion Dragoon: The Civil War Experiences of Sgt Robert S. Hudgins II, Co. B, 3rd Virginia Cavalry* (Orange, VA, 1993), pp 10-15; Thomas Wheaton, et al., *Archaeological Site Survey and Testing: Langley Air Force Base, Virginia* (Stone Mountain, GA, 1992), pp 80-82.

<sup>22</sup> F. M. Armstrong, *The Syms-Eaton Free School: Benjamin Syms, 1634, Thomas Eaton, 1659* (Hampton, VA, n.d.), pp 7-11; "Education in Colonial Virginia, Part III, Free Schools," *William and Mary College Quarterly Historical Magazine*, 6 (1897): p 76; Helen Jones Campbell, "The Syms and Eaton Schools and their Successor," *William and Mary College Quarterly Historical Magazine*, 20 (1940): p 10 and Appendix IV (containing a copy of the 15 July 1760 lease agreement); Thomas Wheaton, et al., *Archaeological Site Survey and Testing: Langley Air Force Base, Virginia* (Stone Mountain, GA, 1992), p 79.

School, endowed in 1659),<sup>23</sup> was so “pitiable” that corrective action had to be taken to preserve the bequest. Moreover, the Virginia Assembly’s series of “Religious Freedom Acts” in 1779, 1785, and 1802 disestablished the Anglican Church and raised a question regarding the parish minister and church wardens’ legal authority to supervise public education.<sup>24</sup> Given these facts, in 1803 a group of Hampton citizens signed a petition asking the General Assembly to authorize the sale of school lands and to use the proceeds to open an educational academy in Hampton. This request was met with a counter-petition from citizens living in the area of the school.<sup>25</sup> The Virginia Assembly responded on 12 January 1805 by passing an act which empowered Elizabeth City County “housekeepers” and “freeholders” to elect a board of trustees with the authority to sell school land and use the proceeds to establish a new institution. This action effectively marked the end of the Syms Free School. In 1806, the trustees sold the Syms lands, combined the proceeds with those gained from the sale of the land of the Eaton School, and established the new Hampton Academy. To assuage the concerns of those who felt that the sale and merging of the schools into a new academy was not following the letter of the Syms’ will, it was decided that six of Elizabeth City County’s indigent children should receive an education at the academy without cost.<sup>26</sup> Thus closed an important chapter in the history of public education in Virginia. Over the years the Syms property was merged with other lands whose ownership changed hands a number of times. Eventually it became a part of the 582.24-acre Collier Estate that Langley Field acquired in 1942.<sup>27</sup>

The majority of the Syms land was located in the area near the present munitions storage complex, and the school was located on one acre in the southwest corner. Archaeologists discovered a site where historic documents said the school was situated. This area--designated 44HT29--located in the woods next to Gregg Road, was excavated in 1990 by archaeologists from New South Associates, Stone Mountain, Georgia. The archaeologists unearthed artifacts--primarily ceramics, window glass, nails, brass shoe buckles, kitchen articles, and a relatively high amount of writing slate. All artifacts dated from the mid-1700s; there is no evidence of any occupation of the area prior to the eighteenth century. Based upon the type and concentration of artifacts found and a

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<sup>23</sup> “Will of Thomas Eaton” included as Appendix II to Helen Jones Campbell, “The Syms and Eaton Schools and their Successor,” *William and Mary College Quarterly Historical Magazine*, 20 (1940): pp 23-24; See also Rosemary Corley Neal, ed., *Elizabeth City County, Virginia: Deeds, Wills, Court Orders, Etc. 1634, 1659, 1688-1702* (Bowie, MD, 1986).

<sup>24</sup> Helen Jones Campbell, “The Syms and Eaton Schools and their Successor,” *William and Mary College Quarterly Historical Magazine*, 20 (1940): p 11 and Appendix XV (“Petitions to the General Assembly, December 9, 1839”), pp 57-61; F. M. Armstrong, *The Syms-Eaton Free School: Benjamin Syms, 1634, Thomas Eaton, 1659* (Hampton, VA, n.d.), pp 11-12.

<sup>25</sup> Helen Jones Campbell, “The Syms and Eaton Schools and their Successor,” *William and Mary College Quarterly Historical Magazine*, 20 (1940): p 11 and Appendices V (Petition to Move School to Hampton) and VI (Petition Opposing the Move).

<sup>26</sup> *Ibid.*, p 12 and Appendix VII (Identifying the Buyers, Dates of Sale, Acreage, and Price of the Purchase as Recorded in Elizabeth City County Records, Volume 33); Thomas Wheaton, et al., *Archaeological Site Survey and Testing: Langley Air Force Base, Virginia* (Stone Mountain, GA, 1992), p 79.

<sup>27</sup> Thomas Wheaton, et al., *Archaeological Site Survey and Testing: Langley Air Force Base, Virginia* (Stone Mountain, GA, 1992), pp 80-82.

comparison with other known sites throughout the country for the same period, the archaeologists concluded that 44HT29 represented the remains of the Syms Free School.<sup>28</sup>

If Site 44HT29 represents the eighteenth-century location of the Syms Free School, where is its seventeenth-century location? It has been hypothesized that the original school was located nearby on high ground close to water. The only such location within the property adjoins Tabbs Creek. The highest such point would have been just south of the bridge where Gregg Road crosses the creek. Hurricanes and floods may have damaged the original site, resulting in the school being moved to the farthest point from water, yet still within the property boundaries i.e., Site 44HT29.<sup>29</sup>

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<sup>28</sup> Ibid., pp 79-81, 83, 105.

<sup>29</sup> Ibid., p 106 and Appendix C, p A-20. See also: "A Short History of the Historical Properties Now Included in the West Area of Langley Research Center, NASA," Langley Research Center Historical and Archaeological Society, 1975, p 3. This source states that the Free School was set upon "a half acre in the southwestern corner of the 200 acre 'School Land' (presently on Langley Air Force Base)."