

III ANXIOUS OPPRESSORS

Freedom and Control in a Slave Society

DURING THE FIRST QUARTER OF THE EIGHTEENTH CENTURY Negro slaves poured into the English colonies on the American continent in unprecedented numbers. This sudden enlargement of the slave population meant for white men a thoroughgoing commitment to slavery; the institution rapidly thrust its roots deeply into a maturing American society. For roughly the first sixty years of the eighteenth century slavery itself grew without appreciable opposition, or even comprehension, gradually becoming barnacled with traditions, folkways, and a whole style of life. Most important for the future, unthinking acquiescence in the existence of slavery resulted in unthinking acceptance of the presuppositions upon which slavery rested. Slavery seemed a necessary response to conditions, a submission to the decrees of life in America.

Basic to the emergent pattern of master-slave relations was the demographic pattern of European and African settlement in the seaboard colonies. Despite the crucial and at times determinative influence of this pattern, the varying degrees of rigor which slavery exhibited in various regions did more than reflect population ratios; in their enactment and application the laws of slavery reflected the complex needs and responses of communities which for varying reasons were both different and roughly similar to each other. White reactions to manifestations of slave discontent, especially, seem to have differed in ways which suggest that the measure of communal integration among white men was crucial to the shape of their response. In all the English settlements, though, colonials faced common problems which turned around certain central facts—that Negro slaves were property but also men, that they had always to be governed and sometimes suppressed, that some Negroes were not slaves, and that racial slavery existed in burgeoning settle-

ments which were characterized notably by personal freedom and ethnic diversity.

1. DEMOGRAPHIC CONFIGURATIONS IN THE COLONIES

The influx of Negroes into the American colonies was part of a more general development, the arrival of large numbers of non-English peoples. It is impossible to say precisely when the flood began, but the trend toward variegation of England's colonial peoples accelerated rapidly in the early years of the eighteenth century. Three groups contributed most heavily to this novel diversity. The Scotch-Irish (the lowland Scots who had migrated to Ulster) pushed through to frontier regions where they rapidly established a reputation for bellicosity among themselves and toward the Indians. The Germans flocked especially to Pennsylvania where by mid-century they constituted a third of the population. Though most were Protestant, their presence aroused some antagonism, for their large numbers and tenacious devotion to their language and ways suggested to some colonists that Pennsylvania might be becoming New Germany. In a famous outburst Benjamin Franklin asked petulantly, "why should the Palatine Boors be suffered to swarm into our Settlements, and by herding together establish their Language and Manners to the Exclusion of ours? Why should Pennsylvania, founded by the English, become a Colony of *Aliens*, who will shortly be so numerous as to Germanize us instead of our Anglifying them, and will never adopt our Language or Customs, any more than they can acquire our Complexion."¹

By far the most numerous (and surely the most distinctive in "Complexion") of the three major non-English groups were the Africans. Like Europeans, they differed among themselves in nationality and language, but they too shared, for the most part, a common culture.² Like most European immigrants, they clustered in certain areas, without having anything to say in the matter. In the eighteenth century Negroes were heavily concentrated on the seaboard of the southern half of the English territory along the Atlantic edge of the North American continent. From about 1730 almost until the Revolution Negroes comprised at least one-third the total population within the line of English settlement from Maryland to

1. "Observations Concerning the Increase of Mankind" (1751). Leonard W. Labaree et al., eds., *The Papers of Benjamin Franklin* (New Haven, 1959—), IV, 234.

2. Though now challenged on many points, the single most important work on the African background of American slaves remains Melville J. Herskovits, *The Myth of the Negro Past* (N. Y. and London, 1941).

South Carolina (and to Georgia after its firm establishment in mid-century). Within this area there were significant variations from colony to colony: North Carolina had only about 25 per cent Negroes, Maryland had over 30 per cent, Virginia about 40, and South Carolina probably over 60 per cent. The concentration of Negroes varied greatly within each colony, too, since usually the movement of slaves onto new lands lagged markedly behind the pace of western settlement. A similar lag occurred in representation of the white population in the assemblies, so that the areas with the heaviest slave populations were usually over-represented in the legislatures, a fact of some but probably not overriding importance concerning statutory regulation of slavery. From Pennsylvania northwards there were spots of Negro concentration in the bustling port cities: New York City's population was probably at least 15 per cent Negro, Newport's only slightly less so, Boston's roughly 8 per cent, and Philadelphia's appreciably less. The colony of New York contained the highest proportion of Negroes north of the plantations (14 per cent), with Rhode Island having slightly fewer although far more than the 3 per cent for New England as a whole. New Jersey and Pennsylvania had about 8 per cent.³

These figures are important only insofar as they made for important, even crucial differences in social atmosphere among various regions of the colonies. The tone and rhythm of life in an inland Connecticut village, where the only Negro to be seen was the minister's house servant, must have been rather different, to say the least, from that on a rice plantation in South Carolina where within a five-mile radius there were ten slaves for every white person, man, woman, and child. In the middle of the eighteenth century perhaps 200,000 white persons in the continental colonies lived in neighborhoods where Negroes outnumbered them. And the population of the colonies which later became the United States, taken as a whole, contained a higher proportion of Negroes in the period 1730-65 than at any other time in the nation's history. In many areas one of the major daily concerns of responsible men was the effective control of masses of slaves.

2. SLAVERY AND THE SENSES OF THE LAWS

As slavery rapidly entrenched itself in the plantation colonies during the early years of the eighteenth century, it forced

3. Sources for population figures are given in *Essay on Sources*, pp. 598-99.

the colonists to come to grips with novel problems which arose from the very nature of the institution. Plainly, Negro slaves were property in a sense not thoroughly comprehended by traditional English concepts and legal categories of bondage and servitude. Sometimes this novelty produced legal confusion: representative assemblies in America and colonial officials in England were trying to stuff a new kind of property into old legal pigeonholes and were frequently unable to achieve a very good fit. In various colonies slaves were variously declared to be real or personal (chattel) property.⁴ What was to be done, for instance, when an estate administered for an orphan during his minority lost value because of deaths, childlessness, and superannuation among the slaves? Could a slaveowner will or deed Negroes not yet conceived, property which did not yet exist? Should slaves be taxed by head or by value? These were vexing if not crucial problems. Chattel slavery required, in common with other manifestations of the commercialization of society, decisions as to how the account books were to be kept.

Considered as men, slaves raised much more difficult problems. The most pressing necessity was maintenance of discipline: hence the famous slave codes. The older plantation colonies at first adopted brief laws aimed at specific problems and later codified them during the early years of the eighteenth century. The newer colonies plunged in more directly: Georgia formulated in 1755 a full-scale code based on South Carolina's.⁵ The process of revision and recapitulation continued throughout the eighteenth century, but alterations in the statutory framework of slavery were in most cases minor until the time of the Revolution. No English colony remained without laws dealing specifically with the governance of Negroes, though in England itself there were no such statutes. In the northern colonies, laws concerning Negroes were less detailed, more haphazard, and generally somewhat less harsh than to the southwards. New Hampshire's regulations consisted of a 1686 law prohibiting sale of strong drinks to Negroes and a special act of 1714 which curtailed their going out of doors after nine o'clock at night. Elsewhere in the North restrictions on Negroes were considerably more elaborate, probably most so in Boston, a community which

4. See particularly Sirmans, "The Legal Status of the Slave in South Carolina," *Jour. Southern Hist.*, 28 (1962), 462-73.

5. Allen D. Candler, comp., *The Colonial Records of the State of Georgia*, 26 vols. (Atlanta, 1904-16), XVIII, 102-44; James Habersham and others to Benjamin Franklin, Savannah, May 19, 1768, Lilla M. Hawes, ed., "Letters to the Georgia Colonial Agent, July, 1762 to January, 1771," *Georgia Historical Quarterly*, 36 (1952), 274.

had never shown itself backward when it came to legislating proper behavior.⁶

Except on occasions of panic, the punishments prescribed for Negro offenders in the North were considerably lighter than in the southern colonies where the traditional thirty-nine lashes (a number derived from Hebraic law) was the usual rule but by no means the limit of chastisement. The New England colonies, in momentary lapse from Scriptural exactitude, frequently limited the lawful prescription to twenty. Contemporaries recognized this progression of severity from northern to southern to West Indian colonies; as the famous lawyer Daniel Dulany of Maryland explained, "In proportion of the jealousy entertained of them [the slaves], or as they are considered to be formidable, the rigours and severities to which they are exposed, seem to rise, and the power of the magistrate or of the master, is more easily admitted."⁷ In the North, the intimacy of contact between master and slave which obtained in so many instances sometimes resulted in a collapse of discipline. Slaves in a family—families were something one was "in," not born into—had excellent opportunity to exercise the leverage of a forceful or guileful personality. A surgeon in Albany discovered this to his cost: as he wrote to a friend, he was determined to sell one of his slaves even though "he is so likely a young Fellow and used to hard country work. His fault is, being born in the Family with me, he thinks I am not to use the same government with him as with one who wasnt, or at least he should be allowed as much privilege as he chuses, and knowing my Disposition, that I cannot flog him, for the aforesaid Reason, he has at length got the upper hand of me, by the advice of a free Negro Wench who he woud have for his Wife, against my Will."⁸ Thus the master might occasionally become the slave. None-

6. Albert S. Batchellor and Henry H. Metcalf, eds., *Laws of New Hampshire*, 5 vols. (Manchester, 1904-22), I, 117, II, 138-39; for Boston, especially the detailed ordinance of 1723 following some fires thought perhaps set by Negroes, Boston Record Commissioners, *Report*, 38 vols. (Boston, 1876-1908), VIII, 173-77.

7. Thomas Harris, Jr., and John M'Henry, eds., *Maryland Reports . . . Provincial Court and Court of Appeals . . .*, 4 vols. (N. Y., 1809-18), I, 560. The 39 lashes are in Deuteronomy 25:3; II Corinthians 11:24.

8. Samuel Stringer to Major Jellis Fonda, Albany, Mar. 2, 1770, MS. letter in New York-Albany Papers, 1770-1783, Stringer, New York Public Library. Rev. James MacSparran in Rhode Island found occasional flogging the only answer: once he gave his Hannibal "one or two Lashes" despite his wife's disapproval, but on another occasion she was so angered by Hannibal that she gave him a few lashes herself after her husband had finished; Daniel Goodwin, ed., *A Letter Book and Abstract of Out Services . . . by the Reverend James MacSparran . . .* (Boston, 1899), 29, 52, 54.

theless, crucial power remained in the hands of the white man; he could sell his masterful possession.

This unharnessed personal power was exemplified in the slave codes of the southern colonies, codes which varied in detail from one colony to another but displayed underlying similarities. Slaves were forbidden to wander off their plantation without a "ticket" from their master or overseer. They were never to be allowed to congregate in large numbers, carry clubs or arms, or strike a white person. Masters were given immunity from legal prosecution should their slave die under "moderate" correction. (One wonders what kind of moderation was envisaged in such cases, but eighteenth-century standards of physical punishment were also harsh for white men and women.) Many colonies found it necessary to provide compensation from the public treasury to owners of slaves executed for a crime or killed in process of capture, since otherwise owners would lie under great temptation to conceal their slaves' offenses. All white persons were authorized to apprehend any Negro unable to give a satisfactory account of himself. In areas of heavy slave concentration white men were required to serve in the slave "patrols" which were supposed to protect the community especially at night and on Sundays, though except in periods of special alarm the patrols were probably far more impressive on paper than in actuality. The critical importance of the numerical ratio of slaves to white men was evident in a South Carolina patrol law of 1740 which specifically exempted from its provisions those "townships lately laid out in this Province, the white inhabitants whereof are much superior in [numbers] to the negroes there, so that the riding patrol there may not be necessary."⁹ Frequently the patrols were accorded powers of search and seizure in the slave quarters which American colonials later found so objectionable when applied against themselves.¹⁰ In addition, slaves committing felonies were tried in specially constituted courts which typically consisted of a justice of the peace and two (other) slaveowners. Official punishments ranged from a specific number of stripes "well laid on" all the way to burning at the stake (often but not always after strangulation), a punishment not restricted to the southern colonies or to Negroes and not entirely abandoned for Negroes until the nineteenth century.¹¹

9. Cooper and McCord, eds., *Statutes S. C.*, III, 571.

10. For example, Candler, comp., *Col. Recs. Ga.*, XVIII, 232-33.

11. Instances of burning are in Edward McCrady, "Slavery in the Province of South Carolina, 1670-1770," American Historical Association, *Annual Report* (1895), 659; *Annapolis Maryland Gazette*, May 6, 20, 1746; Jeffrey R. Brackett, "The Status of the Slave, 1775-1789," J. Franklin Jameson, ed., *Essays in the*

The codes devoted much attention to the most persistent and potentially dangerous problem of slave control—running away. Probably more time, money, and energy was expended on this problem by white slaveowners, legislators, constables, jailers, and newspaper printers than on any other aspect of administering the slave system. Getting the slaves to work efficiently was the owner's problem, but runaways affected the safety of everyone, the security of all movable property, and the very discipline upon which slavery rested.

Running away was of course not confined in America to Negro slaves; it reflected the inherent difficulty of binding any sort of labor when labor was in short supply. Virtually every issue of every newspaper published in the colonies contained advertisements of servants or slaves run away or taken up at the public jail. Indeed, the problem was as old as bound labor in America. Virginia, for example, had cracked down hard in 1643 by ordering that runaway servants should serve additional time twice the length of their absence and for a second offense be branded with an R (for rogue). The branding represented more than moralistic retribution; it served the same decidedly practical purpose which underlay the Virginia act of 1659 (entitled "*How to know a Runaway Servant*") providing "that the master of everie such runaway shall cutt or cause to be cutt, the hair of all such runnawayes close above their ears, whereby they may be with more ease discovered and apprehended."¹² The magnitude of the runaway problem, which once the servant had absconded was a problem of identification, may be judged by the Virginia Assembly's passage of ten separate laws on the matter between 1661 and 1670. As one writer summarized the situation in 1708, "'Tis supposed by the Planters, that all unknown Persons are run away from some Master."¹³

Constitutional History of the United States in the Formative Period, 1775-1789 (Boston and N. Y., 1889), 269; Saunders, ed., *Col. Recs. N. C.*, V, 976; Walter Clark, ed., *The State Records of North Carolina*, 26 vols. (Goldsboro, 1886-1907), XIII, 375-76; Jeffrey R. Brackett, *The Negro in Maryland; A Study of the Institution of Slavery* (Baltimore, 1889), 113; Hugh T. Lefler, ed., *North Carolina History Told by Contemporaries* (Chapel Hill, 1934), 263-64; John S. Bassett, *Slavery in the State of North Carolina* (Baltimore, 1899), 95-96; *Providence Gazette*, Apr. 9, 1763; *New-York Gazette*, Jan. 28, 1734.

12. Hening, ed., *Statutes Va.*, I, 254-55, 401, 517-18.

13. *Ibid.*, II, 21, 26, 35, 116-17, 187-88, 239, 266, 273-74, 277-79, 283-84; Eben[ezer] Cook[e], *The Sot-weed Factor: Or a Voyage to Maryland . . .* (London, 1708), 3n. South Carolina and Georgia prohibited teaching slaves to write (1740, 1755) largely in hopes of curtailing forged passes, and Georgia added teaching of reading in 1770: Cooper and McCord, eds., *Statutes S. C.*, VII, 413; Candler, comp., *Col. Recs. Ga.*, XVIII, 136, 685, XIX, Pt. i, 242-43, laws not always observed of course.

Negroes represented something of an answer to the problem of identification. Their distinctive appearance was one attribute which might initially have led masters to prefer Negroes as such to white servants, though this factor undoubtedly was of minor relevance to the growth of slave importations. Still, the Negro was readily identifiable as such; he was born branded, with a mark less definite but no less striking than R. His appearance was not without its disadvantages as an identifying mark, however, for the very distinctiveness of his features tended to overwhelm the white man's ability to discriminate among individuals: some descriptions of the faces of plantation Negroes in runaway advertisements sound as if they might well have fitted every fifth Negro in the region. Much more drastic, there were leaks in a system which logically should have been watertight; not all black men were slaves, a fact which badly weakened the practical effectiveness of blackness as the badge of slavery, as the constantly reiterated phrase "he may try to pass for a free man" so cogently indicated.

While the colonial slave codes seem at first sight to have been intended to discipline Negroes, to deny them freedoms available to other Americans, a very slight shift in perspective shows the codes in a different light: they aimed, paradoxically, at disciplining white men. Principally, the law told the white man, not the Negro, what he must do; the codes were for the eyes and ears of slaveowners (sometimes the law required publication of the code in the newspaper and that clergymen read it to their congregations).¹⁴ It was the white man who was *required* to punish his runaways, prevent assemblages of slaves, enforce the curfews, sit on the special courts, and ride the patrols. Members of the assemblies, most of whom owned slaves, were attempting to enforce slave-discipline by the only means available, by forcing owners, individually and collectively, to exercise it. This surely was a novel situation. In England the King's government sought to keep the lower orders in check by requiring the local gentry to enforce the laws of the realm, but in policing the lowly these country gentlemen acted chiefly in their capacities as justices of the peace, that is, as officials of government. In America, the slaveholding gentry were coerced as individuals by the popularly elected legislatures toward maintenance of a private tyranny which was conceived to be in the community interest. In the community at large, effective maintenance of slavery depended to considerable degree on vigilance and force, and colonial governments

14. For example, Charleston *South-Carolina Gazette*, Apr. 5, 19, 1735; Hening, *ed., Statutes Va.*, IV, 134.

had at their direct command precious little force with which to be vigilant. The militia, which was at most a quasi-governmental organization, was available in emergency (Southern militia laws were transparently concerned with the danger from the internal enemy), but the effectiveness of the militia depended on the spirit of the populace. Thus the maintenance of slavery depended on mass consent among the white population, on widespread agreement that every master should, indeed had to maintain effective control. This situation, sensed but not thought out by white men, tended to highlight in the white slaveowner's mind the necessity and the nakedness of his personal power. The slave codes played a vital role in this process, for they were, in an important sense, public dialogues among masters and among white men generally, intended to confirm their sense of mastery over their Negro slaves—and over themselves. Here were the makings of a lockstep discipline.

The slave codes served white men in still another way by furnishing indirect justification for the severities of slavery. Even in the seventeenth century, a period not distinguished by public agonizing over human misery, it is possible to detect a slight sense of uneasiness over the rigorous restraints which Negroes seemed to require and over the complete absence of restraints on the individual master's power. In 1692 the Maryland legislature freed a mulatto girl whose master and mistress had cut off her ears; the master's claim was, significantly, that the girl was a thief and a runaway and that he had punished her "thinking that as his Slave, he might do with her as he pleased."¹⁵ Probably this sense of uneasiness was palliated by spelling out the necessities of slavery on paper; a slaveowner might lash his slaves unmercifully, in full confidence that he was carrying out an obligation to society—and he had the written law to prove it. Getting slave regulations onto paper also provided opportunity for delineating the characteristics of Negroes in such terms as to leave no doubt that stringent measures with them were utterly necessary. Perhaps there was, after all, considerable basis in fact for the following preamble to the South Carolina code, first borrowed in 1696 from Barbados and reiterated as late as 1735.

WHEREAS, the plantations and estates of this Province cannot be well and sufficiently managed and brought into use, without the labor and service of negroes and other slaves; and forasmuch as the said negroes and other slaves brought unto the people of the Province for that purpose, are of barbarous, wild, savage natures, and such as renders them wholly unqualified to be governed by the laws, customs, and practices of this

15. *Archives Md.*, XIII, 292-307, 383, 390, 457; but see XXII, 446.

Province; but that it is absolutely necessary, that such other constitutions, laws and orders, should in this Province be made and enacted, for the good regulating and ordering of them, as may restrain the disorders, rapines and inhumanity, to which they are naturally prone and inclined; and may also tend to the safety and security of the people of this Province and their estates. . . .¹⁶

No matter how accurate or inaccurate this unflattering sketch of Negro slaves, the intensity of its tone suggests that legislators were expressing, indirectly, something more than the practical necessity of placing Negroes under different law than white men. In this South Carolina preamble, for example, one has only to substitute "English and other European settlers" for "negroes and other slaves" to achieve an almost classic description of the disintegration of civil society in the wilderness. It seems almost as if the Negro had become a counter image for the European, a vivid reminder of the dangers facing transplanted Europeans, the living embodiment of what they must never allow themselves to become. "Disorders, rapines, and inhumanity" were precisely those qualities which seemed to emerge all too readily when Europeans failed to discipline themselves in America.¹⁷ Application of a distinctly different law to barbarous Negroes in itself afforded reassurance that Englishmen in America had not themselves lapsed into barbarism and had not lost their grip on the old standards.

3. SLAVE REBELLIOUSNESS AND WHITE MASTERY

In addition to clinging to "the laws, customs, and practices of this Province," the colonists were concerned about "the safety and security of the people." Fear of Negro slave rebellion, expressed as early as 1672 in Virginia,¹⁸ was ever-present in the West Indies, the plantation colonies on the continent, and even, with less good reason, in some areas in the North. In many areas it was a

16. Cooper and McCord, eds., *Statutes S. C.*, VII, 352, 371, 385.

17. Compare with the language used by Rev. Charles Woodmason to describe whites in the S. C. back country in the 1760's: "detestable Practices contrary to the Principles of Humanity"; "Vice, Beggary, and Theft"; "Idleness Lewdness, Theft, Rapine Violence"; "Robberies Thefts, Murders, Plunderings, Burglaries and Villanies of ev'ry Kind"; "Fighting, Brawling Gouging, Quarreling"; "Cunning; Rapine; Fraud and Violence." Richard J. Hooker, ed., *The Carolina Backcountry on the Eve of the Revolution; The Journal and Other Writings of Charles Woodmason, Anglican Itinerant* (Chapel Hill, 1953), 98, 101, 121, 122, 226.

18. Hening, ed., *Statutes Va.*, II, 299-300.

gnawing, gut-wringing fear, intermittently heightened by undeniable instances of servile discontent. Every planter knew that the fundamental purpose of the slave laws was prevention and deterrence of slave insurrection. In pleading for a strengthened law in 1710 Governor Alexander Spotswood reminded the Virginia Assembly that constant vigilance was the price of continued mastery:

I Would Willingly Whisper to You The Strength of Your Country and The State of Your Militia; Which on The foot it Now Stands is so Imaginary A Defence, That we Cannot too Cautiously Conceal it from our Neighbours and our Slaves, nor too Earnestly Pray That Neither The Lust of Dominion, nor The Desire of freedom May Stir those people to any Attempts The Latter Sort (I mean our Negro's) by Their Dayly Encrease Seem to be The Most Dangerous; And the Tryals of Last *Aprill* Court may shew that we are not to Depend on Either their Stupidity, or that Babel of Languages among 'em; freedom Wears a Cap which Can Without a Tongue, Call Together all Those who Long to Shake of the fetters of Slavery and as Such an Insurrection would surely be attended with Most Dreadfull Consequences so I Think we Cannot be too Early in providing Against it, both by putting our Selves in a better posture of Defence and by Making a Law to prevent The Consultations of Those Negro's.¹⁹

Freedom wore the red cap of bloody rebellion, and the colonists never doubted for a moment that their slaves might suddenly clap it to their heads. William Byrd, characteristically, was struck by the obvious analogy with classical slavery: "We have already at least 10,000 men of these descendants of Ham, fit to bear Arms, and these numbers increase every day, as well by birth, as by Importation. And in case there should arise a Man of desperate courage amongst us, exasperated by a desperate fortune, he might with more advantage than Cataline kindle a Servile War. Such a man might be dreadfully mischeivous before any opposition could be formed against him, and tinge our Rivers as wide as they are with blood."²⁰ This apprehensiveness was entirely genuine among the planters; in 1730, a year of alarm about slaves in Virginia, the governor and Council issued a proclamation ordering that "all persons repairing to their respective Churches or Chappells on Sundays or Holy Days do carry with them their arms to prevent any Surprize thereof in

19. Henry R. McIlwaine, ed., *Journals of the House of Burgesses of Virginia, 1619 . . . 1761*, 9 vols. (Richmond, 1908-15), 1703-1712, 240.

20. To Lord Egmont, Va., July 12, 1736, "Letters of the Byrd Family," *Va. Mag. of Hist. and Biog.*, 36 (1928), 220-21. Denials of danger were rare; Byrd himself made one when tooting Virginia's virtues to a foreign correspondent, to Peter Beckford, Va., Dec. 6, 1735, *ibid.*, 121. For the same motivation, Hugh Jones, *The Present State of Virginia from Whence is Inferred a Short View of Maryland and North Carolina*, ed. Richard L. Morton (Chapel Hill, 1956), 93.

their Absence when the Slaves are most at Liberty and have greatest Opportunity." 21

Actual slave revolts were not common, but they did occur—often enough to confirm beyond question the horrifying conviction that they would occur again. A rumor of a poisoning in the next county, an outbreak of unexplained conflagrations, the too-large cluster of furtive Negroes discovered on some lonely road, the vivid memory of the woolly head spiked on a pole at the nearby crossroads (stark punctuation closing the last conspiracy), the image of sullen looks of black defiance which scudded across the impassive faces at today's whipping—only the blind could be free from fear, a chilling fear which even the rhythmic tedium of daily life could never entirely smother.

Whenever slaves offered violent resistance to the authority of white persons, the reaction was likely to be swift and often vicious even by eighteenth-century standards. The bodies of offenders were sometimes hanged in chains, or the severed head impaled upon a pole in some public place as a gruesome reminder to all passers-by that black hands must never be raised against white. These instructive tableaux were not invented by the colonists, for they had been common enough in England; the colonists thought of them as warnings to slaves, though of course they were also warning and counseling themselves by erecting tangible monuments to their own fears. These monuments were far more common than such directly purposeful, drastic methods of slave control as crippling incorrigible runaways by hamstringing or cutting off one foot.²²

The line between public and private punishment of offending slaves was of course by no means distinct. Until 1722, slaveholders in South Carolina were *required*, under penalty of the law, to have any of their female slaves running away for the fourth time "severely whipped, . . . branded on the left cheek with the letter R, and her left ear cut off." 23 In that colony in 1732 a man named Charles Jones met resistance from a runaway Negro and killed him on the

21. Henry R. McIlwaine and Wilmer L. Hall, eds., *Executive Journals of the Council of Colonial Virginia*, 5 vols. (Richmond, 1925-45), IV, 228.

22. Cooper and McCord, eds., *Statutes S. C.*, VII, 360; *Acts Jamaica* (1738), 160. A famous description of a slave hanged in a cage is in [M. G. St. Jean de Crèvecoeur], *Letters from an American Farmer* . . . (London, 1782), 232-35. For several of the many instances of heads on poles, Savannah *Georgia Gazette*, June 6, 1765; "Punishment for Arson, By a Slave, 1780," *Va. Mag. of Hist. and Biog.*, 16 (1908), 95; and particularly the details in "How a Murder Was Punished in Colonial Days," *Tyler's Quarterly Historical and Genealogical Magazine*, 8 (1926-27), 61-64.

23. Cooper and McCord, eds., *Statutes S. C.*, VII, 360.

spot; Jones thereupon dutifully went to inform a justice of the peace of what he had done and was instructed to cut off the Negro's head and stick it up on a pole at the crossroads.²⁴ The owner of this now useless piece of property was of course entitled to compensation from the public treasury.

The degree to which slaves actually offered violent resistance to slavery has been the subject of considerable controversy. In the West Indies there were fairly frequent outbreaks, though they are hard to filter out from the steady flow of human violence in the islands. On the American continent, it now seems clear that there were many more rumors than revolts and that the number of actual revolts was small; if it takes a score of persons to make a "revolt" the number all-told before 1860 was probably not more than a dozen.²⁵ On the other hand, resistance on a small scale was common and widespread, demonstrably so. Probably there was considerable measure of truth in the following description by a mid-century English traveler (despite his consistent bias in favor of slaves): "To be sure, a *new Negro*, if he must be broke, either from Obstinacy, or, which I am more apt to suppose, from Greatness of Soul, will require more hard Discipline than a young Spaniel: You would really be surpriz'd at their Perseverance; let an hundred Men shew him how to hoe, or drive a Wheelbarrow, he'll still take the one by the Bottom, and the other by the Wheel; and they often die before they can be conquer'd." 26 (The author might have made even more of his point about the hoe had he known it to be the chief agricultural tool in West Africa.) Traces of this sort of subtle sabotage are necessarily rare, but there can be no doubt about the runaways who sometimes banded together in swamps where they caused great alarm if not much actual danger to nearby settlements.²⁷ With some justification the colonists were unsettled by recurring instances of masters, mistresses, overseers, even whole families murdered by their slaves—variously strangled, clubbed, stabbed, burned, shot, or (most com-

24. *Charleston S.-C. Gaz.*, Jan. 29, 1732.

25. My count. The two most important in the 19th century: Gabriel (1800, Va.), Nat Turner (1831, Va.). Herbert Aptheker, *American Negro Slave Revolts* (N. Y., 1943) heavily stresses slave rebelliousness.

26. [Edward Kimber], ["Observations in Several Voyages and Travels in America"], *London Magazine*, [15] (1746), 325.

27. There is a vivid description in J[ohn] F[erdinand] D. Smyth, *A Tour in the United States of America* . . . , 2 vols. (London, 1784), II, 101-2. See also Hening, ed., *Statutes Va.*, III, 210-11. There seems to have been what can only be called a crime wave among slaves in Caroline County, Va., 1761-64; David John Mays, *Edmund Pendleton, 1721-1803: A Biography*, 2 vols. (Cambridge, Mass., 1952), I, 42-45.

monly the colonists felt) poisoned.²⁸ Some of these instances might perhaps be properly regarded as ordinary crimes, yet it is impossible to separate slave crime from resistance to slavery; slashing an overseer with an axe might stem from blind rage or a disordered mind, but it scarcely represented acquiescence in the role of slave. At very least, there can be no question that the colonists had considerable justification for regarding their slaves as dangerous.

Presumably the principal reason for the colonists' fear of slave insurrections was a pardonable distaste for having their throats cut. Plainly, however, their fears were exaggerated far beyond the proportions of the danger and were in part a response to more complicated anxieties. The spectre of Negro rebellion presented an appalling world turned upside down, a crazy nonsense world of black over white, an anti-community which was the direct negation of the community as white men knew it. As one Virginian put it, Negro insurrection threatened "their lives, liberties, properties, and every other human blessing." The proper ordering of society was at stake: a conspiracy in New Jersey was discovered when a Negro got drunk, started boasting to a white man of forthcoming exploits, and when reprimanded announced to the astounded white man that he was as good a man as himself. Abhorrence of Negro rule united all white men. In 1775 amid rumors of British proposals to arm the slaves a British traveler commented that such action would put an end to all quarreling between American patriots and Tories, for "in that case friends and foes will be all one."²⁹ Nearly universally, Negro conspiracies were regarded (and perhaps there was some real basis for the view) as aiming not only at freedom but Negro mastery. Slave conspirators were often said to have plotted taking over the entire locality for themselves and to have intended "utter Extirpation" of

28. For a few instances, Harry B. and Grace M. Weiss, *An Introduction to Crime and Punishment in Colonial New Jersey* (Trenton, 1960), 50-55, 75; William A. Whitehead, *Contributions to the Early History of Perth Amboy and Adjoining Country . . .* (N. Y., 1856), 318-19; *Charleston S.-C. Gaz.*, Aug. 25, 1733, Sept. 20, 1735, May 28, 1737, Apr. 15, 1738, June 28, 1742, July 30, 1744, Oct. 30, 1749, Jan. 24, 1761; Box 3, bundle: Minutes of the House of Burgesses (1750-51) and Minutes of the Council in Assembly (1751-53), 5-6, Parish Transcripts, N.-Y. Hist. Soc.; Cooper and McCord, eds., *Statutes S. C.*, VII, 422-23; John Bartram, "Diary of a Journey through the Carolinas, Georgia, and Florida . . . 1766," ed. Francis Harper, *Amer. Phil. Soc., Transactions*, New Ser., 33 (1942), Pt. i, 22.

29. Pinkney's *Williamsburg Virginia Gazette*, Aug. 31, 1775; *N.-Y. Gaz.*, Mar. 25, 1734; [Janet Schaw], *Journal of a Lady of Quality; Being the Narrative of a Journey from Scotland to the West Indies, North Carolina, and Portugal, in the Years 1774 to 1776*, ed. Evangeline Walker Andrews and Charles M. Andrews, 3d ed. (New Haven, 1939), 199.

most or all of the white people.³⁰ The colonists seemed incapable of envisaging a Negro revolt which would end with the blacks gaining freedom and nothing more. A successful insurrection loomed as total destruction, as the irretrievable loss of all that white men had won in America—which, of course, was America itself.

This vision of social revolution as wholly destructive derived from the very nature of slavery, and the fact that American slavery was based on racial distinctions merely aggravated a tendency common to all rigidly structured societies. Like the mid-nineteenth-century Russian aristocracy, American planters regarded their bound laborers as a very different kind of people, and the peculiar appearance of the Negro heightened that sense of difference rather than governed it. Certainly most American colonists did not regard their slaves as so different from themselves as to be content in bondage. There was little in the colonists' experience to suggest the existence of such a possibility; in the plantation colonies especially, the one reaction to slave conspiracies most notably lacking was *surprise*. In New York there was a distinctive and contrasting situation which needs to be described in a moment; but it remains the case that in general the colonists felt no need to claim that slavery was a happy arrangement (though it was useful and necessary) and had considerable reason to think that it was not.

This picture of the Negro as a potential insurrectionary was of course most vivid in the plantation colonies, though it was present in the North as well. Significantly, it cut two ways in its implications about Negroes in general. While it implied that the Negro shared with other men a common desire for freedom, it also underlined his difference from the white man by presupposing his natural antagonism. Freedom wore a cap which fitted the Negro and the white man alike, but, as one report said of a supposed conspirator in Charleston, he looked "upon every white Man he should meet as his declared Enemy."³¹ Thus every insurrection reinforced both a sense of identity with the Negro and a sense of the gulf between him and his master.

Several of the most important slave uprisings in the colonial period may serve to illustrate some of these suggestions. The first one of serious proportions occurred on a fearful night in 1712 in

30. Quotation from Saunders, ed., *Col. Recs. N. C.*, II, 421.

31. *New-York Weekly Journal*, Sept. 28, 1741; also *Boston News-Letter*, Oct. 1, 1741. For a rare characterization of slaves as contented, James Glen to Board of Trade, S. C., Mar. 1751, Box 22, bundle: New York and South Carolina, 30-31, Parish Transcripts, N.-Y. Hist. Soc.

New York City when a group of some two dozen slaves calculatedly ignited a building, slaughtered nine white men, and wounded almost as many more as they came running to put out the fire. The city had already been set on edge four years earlier by the murder of a family of seven on Long Island (for which four slaves had been put to death with "all the torment possible for a terror to others"), and this new incident set the town in a panic.³² There was general agreement that the city had narrowly escaped being almost entirely wiped out; as one report said, "had it not been for the Garrison there, that city would have been reduced to ashes, and the greatest part of the inhabitants murdered."³³ The conspirators were hunted down (several cut their own throats in preference to submission) and were quickly brought to trials that were conducted with over-enthusiasm yet within the forms of the law; probably many of the Negroes executed were actually guilty. The methods of execution served notice to all Negroes that they would not be permitted to go about barbarously stabbing the civilized inhabitants of New York: thirteen slaves were hanged, one left to die in chains without sustenance, three burned, one burned over slow fire for eight to ten hours, and one left broken on the wheel. No group of white men in the English continental colonies ever received similar treatment.

The conspiracy of 1712 sent New York's frightened legislators scurrying about devising additional legal restraints on Negroes, as virtually every conspiracy did. New York had no more major difficulties for a generation, but then about 1740 the entire seaboard seemed to be shaken by a wave of slave unrest. Events in New York attained the dimensions of a major tragedy, for in the summer of 1741 the city fell into the vortex of a classic witch hunt.

There were many contributing factors. Great Britain was at war with Spain, and the inhabitants of New York were genuinely afraid that Spanish ships were about to descend upon the city at any moment. The winter of 1740-41 had been one of the coldest in memory, with ice choking the docks, and in the deep of the winter the city's bakers had ungraciously gone on strike. Wheat was at its highest price in a generation. A few months later across the river in

32. Kenneth Scott, "The Slave Insurrection in New York in 1712," *N.-Y. Hist. Soc. Quarterly*, 45 (1961), 43-74, a nearly definitive treatment. See particularly Lord Cornbury to Lords of Trade, N. Y., Feb. 10, 1708, E. B. O'Callaghan and Berthold Fernow, eds., *Documents Relative to the Colonial History of the State of New-York*, 15 vols. (Albany, 1853-87), V, 39; Gov. Robert Hunter to Lords of Trade, N. Y., June 23, 1712, *ibid.*, 341-42.

33. Quoted in Scott, "Insurrection in 1712," *N.-Y. Hist. Soc. Qrtly.*, 45 (1961), 51.

Hackensack, two Negroes, perhaps exhilarated by the returning warmth of spring, generated some of their own by burning down several barns in one night. They were promptly executed.³⁴ New Yorkers already had reason to be edgy about Negro arsonists, and it was fire, appropriately, which set off the famous Negro "plot" of 1741. Whether the fires at the fort, chapel, barracks, governor's house, and several other buildings were actually set by Negroes will probably never be known. It is impossible now to tell surely whether there was any legitimate basis for suspecting a slave conspiracy, though clearly contemporary suspicions swelled out of all proportion to reality.³⁵ Many New Yorkers somehow managed to convince themselves that "so bloody and Destructive a Conspiracy was this, that had not the mercifull hand of providence interposed and Confounded their Divices, in one and the Same night the Inhabitants would have been butcher'd in their houses, by their own Slaves, and the City laid in ashes."³⁶

Attention somehow fastened on some Negroes who had been seen in the vicinity of the fires, and the trail of investigation soon led to a tavern owned by an unsavory white couple who, it was alleged, catered to Negroes and served as a fence for goods stolen by them. Like other witch hunts the affair would never have blossomed fully without an imaginative informer, who turned up in the person of Mary Burton, a servant to the owners of the tavern and none too savory herself. With her memory joggled in the right direction by officials eager to ferret out the very last conspirator, she was able to

34. Files of *N.-Y. Weekly Jour.*; Richard B. Morris, *Government and Labor in Early America* (N. Y., 1946), 162-64; for New Jersey, *N.-Y. Weekly Jour.*, May 4, 1741; *Boston News-Letter*, May 14, 1741; O'Callaghan and Fernow, eds., *Docs. N.-Y.*, VI, 197; and an earlier instance of arson in Weiss, *Crime in New Jersey*, 45.

35. T. Wood Clarke, "The Negro Plot of 1741," *New York History*, 25 (1944), 167-81; also Aptheker, *Revolts*, 193n; Samuel McKee, Jr., *Labor in Colonial New York, 1664-1776* (N. Y., 1935), 156-66. Important contemporary sources are especially instructive: [Daniel Horsmanden], *A Journal of the Proceedings in the Detection of the Conspiracy Formed by Some White People, in Conjunction with Negro and Other Slaves, for Burning the City of New-York in America, and Murdering the Inhabitants . . .* (N. Y., 1744); and O'Callaghan and Fernow, eds., *Docs. N.-Y.*, VI, 187-88, 196-98, 201-3, VII, 528n; *Journal of the Votes and Proceedings of the General Assembly of the Colony of New York, 1691-1765*, 2 vols. (N. Y., 1764-66), I, 792-94, 806-7; *Col. Laws N. Y.*, III, 148-50; *Boston News-Letter*, Apr. 9, June 25, July 16, 23, Aug. 27, Oct. 8, 1741; *N.-Y. Weekly Jour.*, Mar. 23, Apr. 20, 27, June 15, 22, 29, July 20, Sept. 14, Oct. 18, 1741; Richard Charlton to the Secretary, Oct. 30, 1741, B9, no. 62, S.P.G. Manuscripts (transcripts), Lib. Cong.

36. Daniel Horsmanden to Cadwallader Colden, From on Board Admiral Winne near the Mouth of the Highlands, Aug. 7, 1741, *The Letters and Papers of Cadwallader Colden*, 9 vols. (N.-Y. Hist. Soc., *Collections*, 50-56 [1917-23]), II, 225.

recall that virtually any Negro brought before her had joined in furtive councils in the tavern concerning firing the town and slaughtering the white inhabitants. The court supplemented Mary Burton's evidence most effectively by calling on all Negroes who had participated in the awful conspiracy to save themselves from the stake by coming forward to confess their guilt. Convicted slaves standing at their place of execution were encouraged to name more names, a procedure so effective that one Negro, idling in a crowd gathered to enjoy still another hanging, immediately turned himself over to the constable when he heard his own name croaked by the victim at the stake.³⁷ As other Protestant Englishmen had done at other periods of social crisis, New York authorities detected in the plot the nefarious influence of Popery. A vagabond dance-master, John Ury, was arrested on suspicion that he was actually a disguised Spanish priest and had fomented the plot; Ury denied both the ecclesiastical elevation and any knowledge of the conspiracy and was therefore executed.

The grip of hysteria weakened as the exceptionally hot summer wore on and the jails become insupportably packed with frightened Negroes. More important in halting the proceedings, Mary Burton's triumphs entirely turned her head and she began alluding to gentlemen of such unimpeachable reputation that the authorities hastened to shut off her stream of accusations.³⁸ (An astute gentleman in Boston caustically remarked that a parallel development had "finished our Salem Witchcraft.")³⁹ The toll of this enormous social wreckage was four whites hanged, thirteen Negroes burned, eighteen hanged, and seventy shipped out of the colony.

The reaction of New Yorkers to what seemed a major slave conspiracy may best be characterized as one of thoroughly confused horror. In retrospect it is not the horror but the confusion which is revealing, for that confusion plainly demonstrated that New Yorkers had no firm framework of belief into which a major Negro uprising could be securely fitted. An absurd variety of self-conflicting explanations for the conspiracy were advanced. One of the participating judges, Daniel Horsmanden, published a lengthy justification of the court proceedings which variously treated the

37. *N.-Y. Weekly Jour.*, July 6, 1741.

38. The reaction of one of the justices was confused at best: in his letter of Aug. 7 he wrote first that "it is almost incredible to say, that great pains has been taken by some among us, to bring a discredit upon Mary Burton the Original Witness" and then explained concerning her most recent revelations, "we could not but be Shockt, the persons mentioned being beyond Suspition." Daniel Horsmanden to Cadwallader Colden, *Colden Papers*, II, 224-27.

39. Anon. to Colden, Province of the Massachusetts Bay, 1741, *ibid.*, VII, 271.

conspiracy as a Roman Catholic plot, as a monstrous instance of ingratitude toward kindly white masters who had retrieved these Negroes from the heathen barbarism of Africa, as a conspiracy of normally loyal slaves duped by utterly depraved white people treasonous to their natural loyalties, as an example of the dangerous villainy of slaves in New York, and as a revelation of the inherent baseness of Negroes in general. As one would expect, it is difficult to tell whether the Negro conspirators were being blamed as Negroes or as slaves: Horsmanden, for example, pompously proclaimed he had written his book so "that those who have Property in Slaves, might have a lasting Memento concerning the Nature of them." There is no mistaking, though, the pregnant implications in a courtroom lecture addressed to a condemned Negro in which the uncomprehending fellow was told that in "many, it may be said most, of your complexion" there was "an Untowardness, as it would seem, in the very Nature and Temper of ye . . . , degenerated and debased below the Dignity of Humane Species . . . , the Beasts of the People" without so much loyalty as an ox or ass.⁴⁰

The expressions of injured surprise that New York's Negroes had concocted such a horrible plot are especially suggestive in light of the virtual absence of such expressions following conspiracies in other colonies. New York's unique reaction points to a number of factors peculiar to that city. For one thing, New Yorkers rightly had less reason to expect slave uprisings than did plantation owners, for the city's Negroes (probably about 18 per cent of the population) did not work in large gangs but as household servants, assistants to craftsmen, gardeners, porters, and the like. On the other hand, the city had at least twice as large a proportion of Negroes as Philadelphia and Boston, a fact which might facilitate explanation of New York's unique record of actual and supposed conspiracies were it not for the fourth largest northern city, Newport, which had almost as high a proportion of Negroes as New York and apparently no conspiracies of any kind. It seems reasonable to suppose that the tragedy of 1741 in New York, including the confusion as to the nature of a Negro uprising, had roots in the social history of the city. Ever since Leisler's rebellion in 1689 the colony had been plagued by political factionalism which demonstrably affected the course of justice meted out to Negroes in 1712 and probably did so in 1741.⁴¹ More basic still was the long-standing cosmopolitan character of the burgeoning city and its diversity of religious and national groups; from its early years New York had a relatively

40. [Horsmanden], *Journal of the Proceedings*, vi, 186.

41. Scott, "Insurrection in 1712," *N.-Y. Hist. Soc. Qltly.*, 45 (1961), 43-74.

stunted sense of community compared to Boston, Philadelphia, and considerably smaller Newport. Probably this relative lack of communal solidarity cut several ways as far as Negroes were concerned. Certainly it was conducive to just the sort of social explosion which occurred in the summer of 1741. More generally, while diversity of national backgrounds in New York might be thought to have created an atmosphere in which the Negro could be more readily accepted as an inherent member of the community, as merely one stranger among many, the resultant lack of social cohesiveness and sense of communal identity may have operated more powerfully toward generating an insecurity which could to some extent be palliated by turning viciously against the Negro. In New York exclusion of Negroes from the white community would by apposition provide—hopefully—solidarity among the remaining members. In many areas of the South this solidarity was less illusory; indeed where large numbers of slaves constituted a genuine threat it was almost palpable. Colonists in the South thus stood on far more solid vantage ground when viewing this threat than New Yorkers were able to attain.

The plot of 1741 was one of a series of disturbances by (or over) slaves which affected many colonies around 1740. That the disturbances coincided with the Great Awakening of religious excitement is suggestive of widespread heightening of diffuse social tensions throughout the colonies. Outside New York there seem usually to have been solid grounds for the alarms which were raised, though it is well to remember that two opposing parties are required to make an uprising and that the line between a real and an imaginary slave conspiracy cannot be drawn with precision. One or two reports or rumors of slave unruliness tended to break others loose and produce an avalanche. In 1739 the most serious outbreak of the colonial period occurred at Stono, South Carolina, when between fifty and a hundred slaves killed some white men and marched southwards "with Colours displayed, and two Drums beating" to join the Spanish in Florida. They were dispersed by the hastily summoned militia after a brief pitched battle "wherein one fought for Liberty and Life the other for their Country and every thing that was Dear to them"—a revealing characterization of an American slave rebellion.⁴² Next year in South Carolina a plot revealed to

authorities by a slave (faithful or traitorous according to one's lights) resulted in dozens of exemplary hangings.⁴³ Maryland, too, was the scene of slave rebelliousness in the late 1730's, and some frightened citizens of Prince George's County warned the Council of "a most wicked and dangerous Conspiracy having been formed by them the slaves to destroy his Majestys Subjects within this Province, and to possess themselves of the whole Country"—total destruction once again.⁴⁴ In Roxbury, Massachusetts, in July 1741 there occurred what can almost be described as a Negro lynching—perhaps the only such instance before the nineteenth century—when the *Boston News-Letter* reported "a very sorrowful Affair" in which "a Negro Man suspected of stealing some Money, was by divers Persons ty'd to a Tree and whip'd in order to bring him to confess the Fact; after which he was taken down and lying some Time upon the Grass was carried into his Masters House, but died soon after."⁴⁵ This was communal effort with a vengeance.

What was notably lacking in the reaction of the colonists to this wave of disturbances was the panic which struck New York. In South Carolina, the only colony seriously threatened, refractory slaves were not lectured and roasted but dispersed, whipped, and some hanged as examples. These hangings, in contrast to New York's, were preventative rather than retributive. South Carolinians, moreover, seemed under no compulsion to invent slave conspiracies; they were sufficiently acquainted with the real thing. In 1749, for example, an alarm was raised which might easily have led to panic. A man named James Akin ran breathlessly to the colony's officials warning of a combined revolt and runaway conspiracy revealed to him by some Negroes, including several of his own, who apparently hoped to be rewarded for their meritorious disclosures. According to Akin, the ringleader was a white man but most of the conspirators were Negroes. Instead of panicking, the authorities carefully interrogated several whites and a large number of Negroes. In a dramatic climax Governor James Glen himself examined a number of Negroes individually in his chambers, and several admitted that their accusations were baseless. The Governor then gathered his Council, which agreed that the conspiracy, which had once been "horrid," was merely "supposed" and that Akin had been too much taken in by several of his slaves—which he very obviously

42. To the numerous citations in Aptheker, *Revolts*, 186-89, may be added "A Ranger's Report of Travels with General Oglethorpe, 1739-1742," Newton D. Mereness, ed., *Travels in the American Colonies* (N. Y., 1916), 222-23; [Alexander Hewat], *An Historical Account of the Rise and Progress of the Colonies of South Carolina and Georgia*, 2 vols. (London, 1779), II, 72-74.

43. Aptheker, *Revolts*, 189.
44. *Ibid.*, 191-92. There were some suspicions of Roman Catholic influence; *Archives Md.*, XL, 457, 460, 485, 486, 494.

45. *Boston News-Letter*, July 23, 1741. A white murderer caught red-handed was lynched in 1792: *Norfolk Virginia Chronicle*, Sept. 8, 1792.

had. The deluded planter was given no punishment, but several slaves were shipped out of the province. This sober and realistic handling of a potentially explosive incident seems to have come easily to people who were committed beyond recall to slavery as a way of life, and knew it. Fortunately, James Akin did not live in New York City, nor, one might add, a century later.⁴⁶

4. FREE NEGROES AND FEARS OF FREEDOM

Because the colonists dreaded slave insurrections they were quick to excoriate persons they conceived to be potential fomenters of revolt. A chief source of danger, the colonists sometimes felt, was the Negro who was not a slave. Most of the laws restricting free Negroes claimed merely that they were given to receiving goods stolen by slaves and to harboring runaways. Yet Governor William Gooch of Virginia thought he detected a far more serious danger: as he said, "there had been a Conspiracy discovered amongst the Negros to Cutt off the English, wherin the Free-Negros and Mulattos were much Suspected to have been Concerned, (which will forever be the Case)." ⁴⁷ While there may have been good grounds for the charges of theft and harboring runaways, there certainly were not for thinking that free Negroes encouraged slave conspiracies. No free Negro—with one possible exception—was clearly implicated in any conspiracy in the United States until 1822. One was imprisoned during the New York prosecutions of 1712 but was eventually tried and acquitted by a jury; in 1741 when panic-stricken New Yorkers were arresting and convicting Negroes on the flimsiest grounds imaginable, only six free Negroes were arrested, of which five were released and one transported out of the colony.⁴⁸ Plainly the fear of free Negroes rested on something more than the realities of the situation.

46. This affair, not mentioned by Aptheker, can be followed in Box 3, three bundles: Minutes of Council in Assembly (1747-48, 1748-49) including papers on the Negro conspiracy, Pts. i-iii, Parish Transcripts, N.-Y. Hist. Soc. For a similar instance of restraint, Charleston S.-C. *Gaz.*, Aug. 15, 1741.

47. Emory G. Evans, ed., "A Question of Complexion: Documents Concerning the Negro and the Franchise in Eighteenth-Century Virginia," *Va. Mag. of Hist. and Biog.*, 71 (1963), 414.

48. Scott, "Insurrection in 1712," *N.-Y. Hist. Soc. Qlty.*, 45 (1961), 62-67; Horsmanden, *Journal of the Proceedings*, 151, appendix, 12-16. The exception was "James Booth, a free negroe, the Court finding he was knowing of the negroes Intentions of goeing away and likewise entertheynd diverse of them att his house, ordered that he receive twenty-nine Lashes upon his bare Back, well lay'd on—which was done accordingly. . . ." This "Late Dangerous Conspiracy" in Virginia in 1709 was largely a runaway plot, but evidently there were plans to kill if necessary. Palmer *et al.*, *Cal. Va. State Papers*, I, 129-30.

The colonists' claim was grounded on a revealing assumption: that free Negroes were essentially more Negro than free, that in any contest between oppressed and oppressors free Negroes would side not with their brethren in legal status but with their brethren in color. The flowering of racial slavery had crowded out the possibility, which had once been perhaps close to an actuality, that some free Negroes would think of themselves as full members of the white community. Paralleling this assumption was the assured feeling that all white men would stand together in any final crisis. It was still possible for white men to imagine that a few traitors in their midst might join and lead the Negroes (much more possible than in 1859—John Brown was a foreign enemy), but the fear of white servants and Negroes uniting in servile rebellion, a prospect which made some sense in the 1660's and 70's, had vanished completely during the following half century. Significantly, the only rebellions by white servants in the continental colonies came before the firm entrenchment of slavery.⁴⁹

The tendency toward barring *all* Negroes from full participation in the white man's world, the first faint signs of which had appeared in the southern colonies in 1640 with the beginning of the significant historical record concerning Negroes, became more and more pronounced until it had become a widespread pattern well before the American Revolution. The Virginia Assembly's declaration in 1668 that free Negroes "ought not in all respects to be admitted to a full fruition of the exemptions and impunities of the English" proved to be the guideline which in varying degrees was accepted in every colony.⁵⁰ On the other hand, no universal practices developed, no indications of complete consensus on the restrictions appropriate for free Negroes. Rather, the frequently random and miscellaneous character of these restrictions suggests merely a trend, the terminal point of which became completely clear only in the ante-bellum South.

Many colonies made efforts in the first half of the eighteenth century to prevent too many Negroes from becoming free. During the years between 1722 and 1740 South Carolina unabashedly required newly freed Negroes to leave the province unless permitted to remain by special act of assembly. During the same period North Carolina flatly barred freed slaves from remaining in the colony but in 1741 allowed them to remain if their manumission

49. For example, "The Servants' Plot of 1663," *Va. Mag. of Hist. and Biog.*, 15 (1907-08), 38-43.

50. Hening, ed., *Statutes Va.*, II, 267.

had been approved by a county court. Virginia in 1691 required manumitted Negroes to leave the colony, in 1705 dropped the requirement, but then in 1723 prohibited all manumissions except those specifically permitted by the governor and Council for "meritorious services." Not all the plantation colonies were so resolved, for Georgia placed no restrictions on manumission and in Maryland in 1715 a move by the Council to forbid manumission was blocked by the lower house which successfully pushed through a less drastic law fining free Negroes for harboring runaway slaves.⁵¹ In the northern colonies, laws which set conditions on manumission, while calling free Negroes "idle and slothful," aimed chiefly at the difficulties created by masters freeing superannuated slaves so their support would fall upon the public purse.⁵² In every colony, though, there was a steady trickle of private manumissions and in the southern colonies an occasional dramatic bestowal of freedom by the legislature upon a Negro who had revealed a conspiracy or compounded a remedy for syphilis or rattlesnake bite. No one suggested, as men were to do in the waning days of slavery, that free Negroes be re-enslaved. South Carolina and Georgia placed the burden of legal proof on free Negroes to show positively that they were not slaves, yet the North Carolina assembly, as well as Virginia's, took determined measures against "the Practice of Binding out Free Negroes and Mollottoes till they Come to thirty one years of Age Contrary to the Assent of the partys and to Law."⁵³

Once free, whether born so or manumitted, Negroes were in many instances subjected to humiliating restrictions, though again no colony worked out a well-considered policy. It is suggestive that many of the acts liberating individual slaves in the plantation colonies extended to them "all the liberties, priviledges and immu-

51. Cooper and McCord, eds., *Statutes S. C.*, VII, 384 (lapsed 1740); Clark, ed., *State Recs. N. C.*, XXIII, 65, 107, 203-4; Hening, ed., *Statutes Va.*, III, 87-88, 447-62, IV, 132; *Archives Md.*, XXX, 16, 65-66, 177-79, 284. Maryland regulated the form of manumission (1752) but never made it drastically difficult; James M. Wright, *The Free Negro in Maryland, 1634-1860* (N. Y., 1921), 24, 53-72.

52. For example, *Acts and Laws, of His Majesty's Colony of Rhode-Island, and Providence-Plantations, in America* (Newport, 1730), 162-63; Trumbull and Hoadly, eds., *Recs. Col. Conn.*, IV, 375-76, 408, V, 233; *Col. Laws N. Y.*, I, 764-65, 922-23; Samuel Allinson, ed., *Acts of the General Assembly of the Province of New-Jersey . . . 1702 . . . 1776 . . .* (Burlington, 1776), 20-21, 316; *Laws of the State of Delaware*, 4 vols. (New Castle and Wilmington, 1797-1816), I, 214, 435-36.

53. Cooper and McCord, eds., *Statutes S. C.*, VII, 352, 371, 398; Candler, comp., *Col. Recs. Ga.*, XVIII, 104; quotation from Box 2, bundle: N. C. Minutes of Council in Assembly (1731-33, 1756-60), Minutes of House of Burgesses (1756-60), 9. Parish Transcripts, N.-Y. Hist. Soc.; Russell, *Free Negro in Va.*, 99.

nitys of or to a free negro belonging."⁵⁴ In the southern colonies free Negroes were barred from testifying against white persons—a disability which gave carte blanche to any unscrupulous white man—but were themselves often the legitimate objects of testimony by slaves, who under no circumstances could testify against whites. By contrast, free Negroes in New York were immune from testimony by slaves, and in New England slaves themselves could testify against anyone.⁵⁵ In many colonies, North and South, free Negroes were sometimes cavalierly included in certain provisions of the slave codes. In Virginia, for example, where in 1680 slaves had been forbidden to strike Christians, the Assembly in 1705 prohibited any Negro, mulatto, or Indian, "bond or free," from lifting his hand in opposition to "any christian, not being negro, mulatto, or Indian."⁵⁶ Also, free Negroes were generally barred from sexual relations with whites and occasionally (but by no means usually) assigned more severe punishments than white men for the same crime, taxed more heavily than whites, or prohibited from owning real estate.⁵⁷ Many colonies passed laws excluding Negroes from the militia, though on this matter the gulf between paper and practice was especially large. Although this exclusion lay on the statute books of all four New England colonies, Negroes served in New England forces in every colonial war. New York at first legally excluded all Negroes but later only slaves; New Jersey eventually adopted the same policy; Pennsylvania and Delaware did not ex-

54. Hening, ed., *Statutes Va.*, III, 537-38 (1710); Cooper and McCord, eds., *Statutes S. C.*, VII, 419-20.

55. Hening, ed., *Statutes Va.*, III, 298, V, 245, VI, 107, XII, 182; Clark, ed., *State Recs. N. C.*, XXIII, 202-3, 262, 559; Candler, comp., *Col. Recs. Ga.*, XVIII, 111-12, 660, XIX, Pt. i, 218-19; Cooper and McCord eds., *Statutes S. C.*, VII, 401-2; *Archives Md.*, XXXIII, 111; Edwin Olson, "The Slave Code in Colonial New York," *Jour. Negro Hist.*, 29 (1944), 148, 150; Greene, *The Negro in New England*, 179-82.

56. Hening, ed., *Statutes Va.*, II, 481, III, 459, VI, 110; and other instances in *Acts and Resolves Mass.*, I, 578; Bartlett, ed., *Recs. Col. R. I.*, III, 492; Trumbull and Hoadly, eds., *Recs. Col. Conn.*, V, 52-53; Greene, *Negro in New England*, 299; Wright, *Free Negro in Md.*, 31; Cooper and McCord, eds., *Statutes S. C.*, VII, 402, 407; Candler, comp., *Col. Recs. Ga.*, XVIII, 112-13, 660-61, XIX, Pt. i, 219-21.

57. For sexual relations, see chap. 4; for punishments, previous note and *Col. Laws N. Y.*, I, 764; *Laws Del.*, I, 306; Hening, ed., *Statutes Va.*, III, 276; for taxes, Ralph B. Flanders, "The Free Negro in Ante-bellum Georgia," *North Carolina Historical Review*, 9 (1932), 251-52 (after 1768); Clark, ed., *State Recs. N. C.*, XXIII, 72, 106, 345, discrimination which elicited protest from several groups of white men in the 1760's and early 1770's (Saunders, ed., *Col. Recs. N. C.*, V, 295, VI, 902, 982-83, IX, 97-98, 146); for real estate, *Col. Laws N. Y.*, I, 764; repealed 18 years later, II, 682-83, 687-88; [*Acts N. J. in 1704*], 20; Allinson, ed., *Acts N. J.*, 20; Greene, *Negro in New England*, 312-13.

clude Negroes; Maryland did, but Virginia allowed them to serve without arms; North Carolina required all freemen to serve, while South Carolina and Georgia mustered in some Negroes both free and slave. In Boston, where private citizens had rarely been left in doubt concerning their public duties, free Negroes were liable to service repairing the public roads because they did not serve in the trained bands.⁵⁸

A similar trend, again not attaining the dimensions of a universal pattern, was evident in the common exclusion of free Negroes from the polls. It is enormously difficult to discover what sorts of people even among the white population actually voted, and the best that may be said concerning Negroes is that in the northern colonies and probably North Carolina a few free Negroes occasionally did vote. Significantly, in the early years of the eighteenth century, opinion in North and South Carolina had not yet hardened sufficiently to keep a few free Negroes from coming forward at the polls, but just as significantly, the fact that a few Negroes actually voted is known today only because there were several indignant protests against their doing so. Both colonies officially prohibited Negro voting about 1715, but North Carolina did not continue the prohibition after the 1730's—not the only instance of North Carolina's deviation on matters concerning the Negro. Georgia restricted the suffrage to white men in 1761. Until the Revolution Maryland and the northern colonies did not officially bar Negroes from the polls, but it seems fairly certain that they were usually barred by local custom. The Virginia Assembly left no doubt on the matter, for in 1705 it declared Negroes ineligible for public office (a prohibition which suggests the possibility that a Negro may have occupied one) and in 1723 excluded Negroes from the polls.⁵⁹

58. Benjamin Quarles, *The Negro in the American Revolution* (Chapel Hill, 1961), 8-9; Greene, *Negro in New England*, 126-28, 187-90; *Col. Laws N. Y.*, I, 506, II, 91, IV, 776; [*Acts N. J. in 1704*], 5; *The Laws, and Acts of the General Assembly of His Majesties Province of Nova Caesarea or New-Jersey . . .* ([N. Y.], 1717), 17; Allinson, ed., *Acts N. J.*, 140; Edward R. Turner, *The Negro in Pennsylvania, Slavery—Servitude—Freedom, 1639-1861* (Washington, 1911), 179; *Laws Del.*, *passim*; Bacon, ed., *Laws Md.*, 1715, chap. 43, no. 7; *Archives Md.*, VII, 56, 190, XIII, 556, XXII, 564, XXVI, 271, XXX, 279; Russell, *Free Negro in Va.*, 94-96; Hening, ed., *Statutes Va.*, VI, 533; Saunders, ed., *Col. Recs. N. C.*, II, 197; Clark, ed., *State Recs. N. C.*, XXIII, 29, 244, 518, 596; Charleston S.-C. *Gaz.*, Oct. 31, 1748; Cooper and McCord, eds., *Statutes S. C.*, VII, 347-51, 422; Candler, comp., *Col. Recs. Ga.*, XVIII, 7, 16-17, 38-46; Boston Record Commissioners, *Report*, XI, 60, 72-74, 115-16, 137-38, 144, 166-67, 210, 232-33, XIII, 8-9, 42-43, 59-60, 82-83, 106, 109-10, 145, XV, 135, 251, XVII, 29, 68, XIX, 103-4, 195-96, 240, XX, 218, 236, 257; and perhaps other Massachusetts towns also: *Acts and Resolves Mass.*, I, 606-7.

59. The best treatment, avowedly incomplete, is Emil Olbrich, *The Development of Sentiment on Negro Suffrage to 1860* (Madison, Wis., 1912); see also

This Virginia provision of 1723 came immediately after a slave conspiracy and represented one kind of reflex action to slave rebellion. Freemen in America—Negro freemen—lost their franchise because Negro slaves alarmed their white masters. Already traditional English liberties were being altered in the New World. A dozen years later the Virginia provision was challenged by colonial authorities in England (nowhere near a record in delay) who asked pointedly why free Negroes and mulattoes were excluded from elections. Governor William Gooch, a popular man with Virginians and rapidly becoming a Virginian himself, hastened to straighten out his ivory-towered superiors with a polite but firm lecture on the realities of life in the plantations.

[The] Assembly thought it necessary, not only to make the Meetings of Slaves very Penal, but to fix a perpetual Brand upon Free Negroes and Mulattos by excluding them from that great Privilege of a Freeman, well knowing they always did, and ever will, adhere to and favour the Slaves. And 'tis likewise said to have been done with design, which I must think a good one, to make the free Negroes sensible that a distinction ought to be made between their offspring and the Descendants of an Englishman, with whom they never were to be Accounted Equal. This, I confess, may Seem to carry an Air of Severity to Such as are unacquainted with the Nature of Negroes, and Pride of a manumitted Slave, who looks on himself imediately On his Acquiring his freedom to be as good a Man as the best of his Neighbours, but especially if he is descended of a white Father or Mother, lett them be of what mean Condition soever; and as most of them are the Bastards of some of the worst of our imported Servants and Convicts, it seems no ways Impolitick, as well for discouraging that kind of Copulation, as to preserve a decent Distinction between them and their Betters, to leave this mark on them, until time and Education has changed the Indication of their spurious Extraction, and made some Alteration in their Morals.⁶⁰

Though they comprehended the economics of slavery well enough, officials in England did not really quite understand, at least during the first third of the century, this logic of the racial situation in the

Albert E. McKinley, *The Suffrage Franchise in the Thirteen English Colonies in America* (Phila., 1905); Stephen B. Weeks, "The History of Negro Suffrage in the South," *Political Science Quarterly*, 9 (1894), 671-703; Greene, *Negro in New England*, 300-303; Turner, *Negro in Pa.*, 172-73. For the laws and protests, Clark, ed., *State Recs. N. C.*, XXIII, 12-13, 208; Saunders, ed., *Col. Recs. N. C.*, II, 214-15, 903, 908, IV, 251; McKinley, *Suffrage*, 137-38; Cooper and McCord, eds., *Statutes S. C.*, III, 3, 136, 657, IV, 99; Candler, comp., *Col. Recs. Ga.*, XVIII, 465-66; Hening, ed., *Statutes Va.*, III, 250-51, IV, 133-34, VII, 519.

60. To Alured Popple, May 18, 1736. Evans, ed., "Question of Complexion," *Va. Mag. of Hist. and Biog.*, 71 (1963), 414. William Gooch to [Board of Trade], Va., May 18, 1736, Box 1, bundle: Virginia Historical Documents relating to Negroes and Slavery, 1699-1760, 73-74. Parish Transcripts, N.-Y. Hist. Soc. See also McIlwaine, ed., *Jours. House Burgesses Va.*, 1712-26, 360.

New World. In 1717, for instance, the Crown's attorney-general advised the Council of Trade and Plantations that it was reasonable that a free Christian Negro should be admitted to the same privileges as other freemen.⁶¹ Planters in America were better attuned to their own convictions.

5. RACIAL SLAVERY IN A FREE SOCIETY

These convictions became evident not merely in legal restrictions on free Negroes but in various ways which suggest a trend toward exclusion of all Negroes from full participation in the white community. The trend was least obvious in the arena of human activity within which the relation between the two races was most completely rationalized—work. Slavery itself operated on an exclusionary principle, so that when the Negro was considered in his role as a laboring machine he appeared sufficiently separated from the white community. As a laborer in the colonies, the Negro slave did not arouse widespread hostility among white men. This fact attains additional importance in light of the widespread use of Negroes not merely as agricultural laborers but as seamen and porters, as coachmen and house servants; a considerable number were trained to skilled trades, everything from cooper and carpenter to baker and blacksmith, both in towns and on the plantations. There were, however, some expressions of resentment against the use of slaves in certain areas and occupations. Protests against Negro slave competition were slanted principally at the employment of Negroes as skilled craftsmen, porters, and boat pilots; these protests cropped up particularly in urban centers, where competition was most obvious and protest most easily organized.⁶² Significantly, it is

61. Sainsbury et al., eds., *Calendar of State Papers, America and West Indies, 1716-17*, 286.

62. Boston Record Commissioners, *Report*, VII, 5; Greene, *Negro in New England*, 112; Trumbull and Hoadly, eds., *Recs. Col. Conn.*, XIV, 329; *Minutes of the Common Council of the City of New York, 1675-1776*, 8 vols. (N. Y., 1905), I, 179; Box 1, bundle: New York, *Minutes of Council in Assembly, Minutes of House of Burgesses (1688-93, 1705, 1743-60)*, 1, Parish Transcripts, N.-Y. Hist. Soc.; Candler, comp., *Col. Recs. Ga.*, I, 58, XIII, 276, XVIII, 277-82, XIX, Pt. II, 23-30, XXIII, 442-47; Francis Moore, *A Voyage to Georgia . . . 1735 . . .* (London, 1744) (Georgia Historical Society, *Collections*, 1 [1840]), 96-97; Charles Z. Lincoln, ed., *State of New York. Messages from the Governors . . .*, 11 vols. (Albany, 1909), I, 260. And the best secondary account, Morris, *Government and Labor*, 182-88, 524. The usual pattern of employment is suggested by an advertisement for "a WHITE CARPENTER, capable of superintending a few Negro Carpenters, either in Town or Country." *Charleston Gazette of the State of South-Carolina*, July 8, 1784.

often impossible to ascertain from the language of these protests whether they aimed only at slave labor or at free Negro labor as well. Indignant petitions deplored the "Great Confusion and Irregularity [which] daily Insue from the Insolent and Turbilent disposition and behaviour" of Negro competitors whose presence debarred "the Petitioners from being employed, to the utter Ruin of themselves and Families" or would lead "to the great discouragement of [the immigration of] Your Majestys white Subjects."⁶³ In fact the presence of large numbers of Negro slaves in the South did discourage white immigration, and colonial officials occasionally responded to these over-tearful laments with ordinances restricting the entry of free and slave Negroes into various employments. What is impressive about the evidence of resentment over economic competition, however, is its occasional character. In Williamsburg, for instance, white and Negro craftsmen seem to have felt no sense of racial competition.⁶⁴ Only in Charleston was there evidence of widespread and continuing resentment, and there distaste for the Negro as a job competitor was closely linked to fear that South Carolina was running dangerously short of white men.⁶⁵ No important movement for restricting Negroes to chores of servile drudgery developed,⁶⁶ and of course no one tried to claim that Negroes were incapable of engaging in skilled crafts—a notion concocted after the abolition of slavery.⁶⁷ What happened in the South instead was that white workers became reluctant to labor in the fields as employees of another man. As the Earl of Egmont recounted the views of a Carolina merchant in 1740, "He said that where there are Negroes, a white

63. An amalgam from quotations in Saunders, ed., *Col. Recs. N. C.*, IX, 803-4; Cheesman A. Herrick, *White Servitude in Pennsylvania; Indentured and Redemption Labor in Colony and Commonwealth* (Phila., 1926), 88; Donnan, ed., *Documents Slave Trade*, IV, 288-89.

64. Thad W. Tate, Jr., *The Negro in Eighteenth-Century Williamsburg* (Charlottesville, Va., 1966), 70.

65. Donnan, ed., *Documents Slave Trade*, IV, 288-89; *Charleston S.-C. Gaz.*, Nov. 8, 1742, July 9, 1750, supplement, Nov. 1, 1760; Warren B. Smith, *White Servitude in Colonial South Carolina* (Columbia, 1961), 34-36; Richard Walsh, *Charleston's Sons of Liberty: A Study of the Artisans, 1763-1789* (Columbia, 1959), 23-25, 49, 57-58, 109-10, 124-27; Carl Bridenbaugh, *Cities in Revolt: Urban Life in America, 1743-1776* (N. Y., 1955), 88-89, 274, 286; Jernegan, *Laboring Classes in America*, 20-21.

66. In 1750 the South Carolina lower house "humbly proposed that all white persons who will accept of any servile Labour such as Porters etc. shall have the preference to all Jobs that offer, and be intitled to additional hire per diem." Box 3, bundle: S. C., *Minutes of House of Burgesses (1749-50)*, 14, Parish Transcripts, N.-Y. Hist. Soc.

67. And exploded by Leonard Price Stavisky, "Negro Craftsmanship in Early America," *Amer. Hist. Rev.*, 54 (1948-49), 315-25.

Man despises to work, saying, *what, will you have me a Slave and work like a Negroe?* Nevertheless, if such white Man had Negroes of his own, he would work in the field with them."⁶⁸

Absence of widespread resentment against Negro competition reflected the prevailing shortage of all kinds of labor in America. Employers wanted Negroes because they were cheaper to buy and keep than white men and perhaps, as one contemporary claimed, because Negroes of both sexes could be put to work in the fields while white women could not.⁶⁹ Then, too, a white craftsman could never tell when he might want to hire or buy a Negro of his own. For men on the make, Negroes afforded additional leverage for pulling oneself up by the bootstraps.

Apart from the sphere of work, though, slavery did much less to structure the Negro's role in the white man's mind, and accordingly white men were under greater pressure to elaborate upon their sense of distinctness from Negroes. This pressure operated with all Negroes, slave almost as much as free. On occasion slaves were criticized for dressing too finely, though on this score gentlemen had been having trouble with all their inferiors ever since landing in America.⁷⁰ In the 1730's in New York some Negroes were reported to have had "the Impudence to assume the Stile and Title of FREE MASONS, in Imitation of a Society here; which was looked upon to be a gross Affront to the Provincial Grand Master and Gentlemen of the Fraternity . . . and was very ill ACCEPTED." In 1721, a Boston newspaper's account of a grand Negro wedding, in which the happy pair "went to Church in a Sley; where an Englishman stood as a Father to give the Woman in Marriage," failed to show much appreciation of this interracial harmony and suggested that such a public display might have been concocted to ridicule the government. In 1745, Massachusetts expressly prohibited Negroes from participating in a government lottery, presumably to preclude the off-chance that some Negro might win it. More revealing was Dela-

68. Candler, comp., *Col. Recs. Ga.*, V, 476. For similar expressions, "An Impartial Inquiry into the State and Utility of the Province of Georgia. London: 1741," *Ga. Hist. Soc., Collections*, 1 (1840), 172; Saunders, ed., *Col. Recs. N. C.*, II, 310; "Colonel William Byrd on Slavery and Indentured Servants, 1736, 1739," *Amer. Hist. Rev.*, 1 (1895-96), 88-89.

69. [Thomas Nairne], *A Letter from South Carolina; Giving an Account of the Soil, Air, Product, Trade, Government, Laws, Religion, People, Military Strength, etc. of That Province . . .* (London, 1710), 59.

70. Phila. *American Weekly Mercury*, Aug. 10, 1738; Cooper and McCord, eds., *Statutes S. C.*, VII, 396; Charleston *S.-C. Gaz.*, Nov. 5, 1744.

ware's law of 1770 which forbade employing Negroes to administer corporal punishment to white offenders.⁷¹

This tendency to hold Negroes at arm's length amounted to something very different from modern "segregation." Much later, something resembling the twentieth-century practice developed in the ante-bellum North, but in the South segregation did not come into general existence with legal support until after (often long after) the Civil War.⁷² "Segregation," as a mechanism for maintaining social distance and control, was for the most part unnecessary and almost meaningless in the period when most Negroes were slaves, for slavery was very effective segregation—at least in the mind, where it counted. Until the latter part of the eighteenth century, moreover, there was no explicit racist doctrine in existence which could have served as rationale for separate public water pumps. Then too, life in the colonies was characterized by less travel, less schooling, and less urban concentration, that is, by few of the focal points of twentieth-century controversy. Indeed there were only two or three points at which whites and Negroes were likely to come together in a social context which might have implied equality and hence have threatened the white man's security. Specifically these were the church and the burying ground and to less extent the schools.

It may be said generally that some Negroes often attended regular church services, were sometimes accepted into full membership, and occasionally even invited to address largely white congregations.⁷³

71. [Horsmanden], *Journal of the Proceedings*, 26; Boston *New-England Courant*, Dec. 25, 1721 (an anti-government paper); *Acts and Resolves Mass.*, XIII, 431; *Laws Del.*, I, 479.

72. Leon F. Litwack, *North of Slavery: The Negro in the Free States, 1790-1860* (Chicago, 1961); C. Vann Woodward, *The Strange Career of Jim Crow*, 2d rev. ed. (N. Y., 1966).

73. The records of many New England churches show Negroes as full members. For some instances of membership and attendance in various colonies, Wilkins Updike, *A History of the Episcopal Church in Narragansett, Rhode Island, Including a History of Other Episcopal Churches in the State*, ed. Daniel Goodwin, 2d ed., 3 vols. (Boston, 1907), III, 63, 65, 66, 75, 77; Edgar Legare Pennington, "Thomas Bray's Associates and Their Work Among the Negroes," *American Antiquarian Society, Proceedings*, New Ser., 48 (1938), 359, 388, 390; Henry J. Cadbury, "Negro Membership in the Society of Friends," *Jour. Negro Hist.*, 21 (1936), 152-53, 184-210; Richard I. Shelling, "William Sturgeon, Catechist to the Negroes of Philadelphia and Assistant Rector of Christ Church, 1747-1766," *Historical Magazine of the Protestant Episcopal Church*, 8 (1939), 388; Morgan Edwards, "History of the Baptists in Delaware," *Pennsylvania Magazine of History and Biography*, 9 (1885), 206; James B. Lawrence, "Religious Education of the Negro in the Colony of Georgia," *Ga. Hist. Qtrly.*, 14

They were usually seated in a distinct section of the church,⁷⁴ a seemingly flagrant instance of "segregation" which was actually in large measure an expression of eighteenth-century ideas about people in general rather than Negroes in particular. The pattern of seating in most colonial churches was partly governed (whether formally or not) by accepted social distinctions; the town drunk did not occupy a prominent pew even when sober. The meaner sort of people accepted seats at the back or in the gallery, and Negroes, even Negroes who owned some property, were patently of the meaner sort. Here lay the makings but not the actuality of a radical separation.

The temptation to categorize the orders of men extended literally to the grave. In the northern cities and towns at least, Negroes were often, probably usually, interred in a separate section of the burial ground, and in this matter alone separation was occasionally written into law.⁷⁵ Graveyards have always served as drawing boards upon which the community can plot its hopes for stratifying itself in the world to come.⁷⁶ Even the early Quakers, who with customary

(1930), 49, 51; also next note and chap. 5, below. Perhaps most typical was the experience of Rev. Ezra Stiles, who had 7 Negroes among his 80 communicants (Newport, 1772) but who also held separate meetings for Negroes, and of the itinerant Rev. Francis Asbury, who preached to both racially mixed and separate groups: Franklin B. Dexter, ed., *The Literary Diary of Ezra Stiles, D.D., LL.D., President of Yale College*, 3 vols. (N. Y., 1901), I, 39, 204, 247-48; Elmer T. Clark et al., eds., *The Journal and Letters of Francis Asbury*, 3 vols. (London and Nashville, 1958), 9-10, 57, 89, 200, 221, 351, 355, 441, 473. For Negroes addressing whites, *ibid.*, I, 328, 336; Saunders, ed., *Col. Recs. N. C.*, VII, 164; Goodwin, ed., *Letter Book of James MacSparran*, 26-27.

74. Cadbury, "Negro Membership in Society of Friends," *Jour. Negro Hist.*, 21 (1936), 168; Clark et al., eds., *Journal of Asbury*, I, 223; Charles C. Jones, *The Religious Instruction of the Negroes in the United States* (Savannah, 1842), 36; Writers' Program of the Work Projects Administration in the State of Virginia, *The Negro in Virginia* (N. Y., 1940), 98; *Archives Md.*, LXIV, 375-76; Greene, *Negro in New England*, 280-84.

75. Boston Record Commissioners, *Report*, VIII, 176, XIII, 263, XIV, 53, XVII, 120; *Boston News-Letter*, Mar. 12, 1741; Goodwin, ed., *Letter Book of James MacSparran*, 85n; Bernard C. Steiner, *History of Slavery in Connecticut* (Baltimore, 1893), 20; Greene, *Negro in New England*, 284; [David] Humphreys, *An Account of the Endeavours Used by the Society for the Propagation of the Gospel in Foreign Parts, to Instruct the Negroe Slaves in New York . . .* (London, 1730), 7; *Minutes of Common Council, N. Y. C.*, V, 416; Townsend Ward, "The Germantown Road and Its Associations," *Pa. Mag. of Hist. and Biog.*, 6 (1882), 131; Peter D. Keyser, "A History of the Upper Germantown Burying-Ground . . .," *Pa. Mag. of Hist. and Biog.*, 8 (1884), 419; Turner, *Negro in Pa.*, 47; Candler, comp., *Col. Recs. Ga.*, XVIII, 568-69. See, too, John Luffman, *A Brief Account of the Island of Antigua . . .* (London, 1789), 109-10.

76. For this generally W. Lloyd Warner, *The Living and the Dead; A Study of the Symbolic Life of Americans* (New Haven, 1959), chap. 9.

literal-mindedness wiped the slate clean at death by erecting no marking stones in their burying grounds, usually marked off a separate plot for Negroes.⁷⁷

The only other places where whites and Negroes might have rubbed shoulders on terms of equality were the schools. Occasionally one or two Negroes attended school with a group of white children,⁷⁸ but the vast majority of Negroes, slave and free, grew old and died with very little formal education or indeed any education at all. What little schooling was available to Negroes came by way of the churches. More often than not Negroes were catechized in exclusively Negro groups at an hour appointed by the catechist, though there must have been many exceptions to this practice. The scattered short-lived schools sponsored by missionary groups connected with the Church of England sometimes admitted Negroes with white children but more often Negroes alone.⁷⁹ This general pattern derived in large part from the fact that teaching Negroes presented rather special problems; Negro and white children came, after all, from what are now termed different socio-economic backgrounds. Nonetheless, racially mixed school classes in the colonies occasionally raised hackles and objections which have a startlingly modern ring. A Mr. Bolton was arraigned in Philadelphia for teaching Negroes in his school, though he successfully defended this practice before the grand jury.⁸⁰ Some teachers in North Carolina refused to teach Negroes and whites together when the idea was proposed by an English missionary group. And in Virginia the Reverend Adam Dickie reported that he had to conduct separate catechizing sessions "because White People thought it a Mighty

77. Thomas E. Drake, *Quakers and Slavery in America* (New Haven, 1950), 16.

78. W. H. Morse, "Lemuel Haynes," *Jour. Negro Hist.*, 4 (1919), 22-23; Esther B. Carpenter, "Negro Slavery in the Colony of Rhode Island," in her *South County Studies . . . of Narragansett* (Boston, 1924), 202; Carl Bridenbaugh, *Cities in the Wilderness: The First Century of Urban Life in America, 1625-1742*, [2d ed.] (N. Y., 1955), 446.

79. Goodwin, ed., *Letter Book of James MacSparran*, xxiv, 10, 13, 24; Updike, *Church in Narragansett*, III, 90; Carter G. Woodson, *The History of the Negro Church*, 2d ed. (Washington, 1921), 17; Pennington, "Bray's Associates," *Amer. Antiq. Soc., Proceedings*, New Ser., 48 (1938), 387; William W. Kemp, *The Support of Schools in Colonial New York by the Society for the Propagation of the Gospel in Foreign Parts* (N. Y., 1913), 241, 246, 249; Shelling, "William Sturgeon," *Hist. Mag. Prot. Eps. Church*, 8 (1939), 390-93; David D. Wallace, *The History of South Carolina*, 4 vols. (N. Y., 1934), I, 194; H. A. Scamp, "Georgia—The Only Free Colony," *Magazine of American History*, 22 (1889), 304.

80. *Charleston S.-C. Gaz.*, July 18, 1740.

Scandal to have their Children repeat the Catechism with Negroes." 81

Mightily scandalized or not, the colonists in general seemed wary of opening their society to Negroes, even to those who were legally free and whose ancestors may have been free (by 1760) for three or four generations. This exclusionary trend, if not principle, stood out all the more sharply in a society which by European standards was wide open to all comers. In committing themselves to a slavery whose logic rested, in the final analysis, on racial differences, the colonists may in fact have enhanced the fluidity of the American social structure above the racial line. For the firmness of Negro exclusion may have served as a bedrock of assured but inexpressible confidence that the structure of the community was indeed as firmly ordered as it should be, thus permitting the revolutionary new social mobility among white persons to develop without the crippling apprehensiveness that proper social ordering was going entirely by the board. Paradoxically too, while slavery served as a working model of social subordination, it was one that could be applied only to Negroes, and thus the status of slave became the very model of what white Americans could *never* be.

As for the free Negro's position in the community, the association of slavery with race had transformed a free black man into a walking contradiction in terms, a social anomaly, a third party in a system built for two. Not only did free Negroes provide an "evil example" 82 to slaves but, much worse, their presence imposed a question mark on the rationale of slavery. In retrospect it is easy to see that their presence constituted an invitation to development of a new rationale which would tell white men who they were and where they stood in the community—the rationale of racial superiority. At the time, it seems ironic that many of the anxieties connected with slavery should have derived from what little fluidity remained in the caste system, from the fact that a few slaves had and could still slip over into freedom.

The importance and impact of certain of these paradoxes and ironies were not nearly so great, or at least so apparent, in the long years when slavery remained a largely unexamined fact of life in the colonies as they were to become at the time of the American Revolution and after. The sustained debate over natural rights and British

tyranny at the time of the Revolution not only brought into question the laws of slavery but altered the context in which Americans contemplated the facts of slave rebelliousness and Negro freedom. While in the years prior to the Revolutionary era slavery and growing freedom existed side by side without apparent strain, it would be a mistake to suppose that freedom and slavery were not at issue for colonial Englishmen. As cultural heirs of Elizabethans and Puritans they were acutely attuned—on the wave lengths which carry such messages—to urgent human problems of liberty and discipline, of license and control. The development of biracial slavery in America, with its concomitant themes of license and discipline, did nothing to quiet among colonial Englishmen the mood of taut adventurousness and control which had done so much to make England a restless navigating, discovering, trafficking, planting nation. Rather, the new freedom and the new slavery in America acted together to vivify this mood, to raise practical problems which agitated it, and to rake toward the surface certain of its energies which had somehow to be dealt with. For intimately related with economic exploitation, exclusion of free Negroes from the white community, slave unrest, and daily discipline in America was another kind of restlessness, discipline, exploitation, and exclusion. That this kind should have operated in such a way as to leave abundant traces in contemporary source materials suggests how salient and dynamic it was at the time and how important and persistent in America it was to become.

81. Pennington, "Bray's Associates," *Amer. Antiq. Soc., Proceedings, New Ser.*, 48 (1938), 343, 352.

82. *Laws Del.*, I, 214, 435; also James T. Mitchell *et al.*, eds., *Statutes at Large of Pennsylvania from 1682 to 1809*, 18 vols. (Harrisburg, 1896-1915), IV, 61.