

On the Path to Slavery:
Indentured Servitude in Barbados and Virginia during the
Seventeenth Century

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(Abstract)

This is an investigation and analysis of the institution of indentured servitude in the English colonies of Virginia and Barbados in the first half of the seventeenth century. It argues that the system of indentured servitude contributed to the development of property rights in individuals and thereby provided early examples of treating people as property that would ultimately lead to the rise of chattel slavery in both colonies. It investigates servitude in law, politics, and practice providing examples of the treatment, trade, and resistance of servants throughout this period. Included are chapters examining the trade in servants and a statistical breakdown of the servant population, a comparison of the practice of servitude in both colonies, and a description of the factors that led to the eventual transition to black slavery.

Dedication: This is dedicated first to my two grandmothers, Eleanor White and Louise Patterson. Both contributed love throughout my life, Louise Patterson until her passing. In addition to that, Eleanor White instilled in me a love for reading and learning that led me to this point. Louise Patterson taught me to take the hills and valleys of life with equanimity. I have and continue to need both. Secondly, I would like to dedicate this to my parents, Pat and Spence Farley without whose encouragement and love I could not have progressed this far.

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Introduction

On May 14, 1607 an expedition organized by the London Company of Virginia established the first permanent English settlement in the New World at Jamestown. Some of the men associated with these early years of the Virginia colony continue to spark our imagination today: John Smith, Christopher Newport, and George Percy. In 1627, another joint-stock company, organized by Sir William Courteen and Captain John Powell, financed an expedition to settle the island of Barbados. The investors in this project hoped to duplicate the financial success enjoyed by the Virginia colony after the establishment of tobacco as its staple agricultural product. After almost two decades of experimentation, Barbadian planters settled on sugar as their means to economic viability. While both crops were profitable, to cultivate them successfully required large numbers of laborers. The need for labor limited the opportunity for success to those individuals able to control access to the labor supply and contributed to the development of a planter class which dominated the economic and legal institutions in both colonies. Thus, despite the lucrative opportunities provided by tobacco and sugar, the acquisition of wealth in these colonies remained confined to the fortunate minority.

During these early decades, the need for labor in both colonies was met by white indentured servants drawn from the large numbers of the lower classes in England, Scotland, and elsewhere fleeing economic and political turmoil in search of opportunity in a New World. In doing so, they unwittingly assigned rights to their owners over their lives and bodies that were unprecedented by

contemporary English standards. The central argument of this thesis will be that in both Virginia and Barbados during the seventeenth century, a social system developed that assigned property rights in individuals to a planter class determined to maintain control of the laborers coming to the colonies. While the supply of servants met the demand for labor, the institution of servitude remained the dominant form of labor in both colonies. When challenges to control and the falling number of servants threatened planter control an alternative was found in the form of slavery. This does not mean that servitude was the equivalent of slavery. In the finite term of service alone is seen a distinct and important difference between the two forms of labor. However, the development of property rights in servants formed a precedent for slavery, and in terms of treatment, legal rights, and resentment of the planter class, servitude and slavery were more alike than different for much of the seventeenth century.

The first stage in the development of property rights in servants took place in the form of an extensive and profitable trade in servants that allowed merchants and planters access to the large number of unemployed and homeless individuals migrating to urban centers in England such as Bristol and London. It is this trade and the individuals participating in and victimized by it that will form the basis of the first chapter of this thesis. The trade that developed involved large organizations that allowed investments by individuals interested in obtaining large profits through legal or, at times, illegal means such as kidnapping or fraudulent promises. The local and national government sanctioned the trade by supplying numerous servants to merchants by emptying

jails of criminals and political prisoners or rounding up homeless individuals for mandatory transport. Through the success of this trade in servants, profits took precedence over concerns about the rights and the conditions faced in the colonies by individual servants.

The second chapter will analyze the establishment of these property rights in practice and law in the colonies themselves. In practice, servants became a form of alienable property traded, valued, and used in barter in the same way as livestock, utensils, and real estate. Through the domination of the legal and political institutions of the colonies by the planter class, a legal code evolved that primarily protected the interests of the planters in maintaining the supply of servants traveling to the colonies as well as protecting the control of the planters over the laboring class. In very real terms, the treatment and living conditions experienced by servants demonstrated the harshness of a servant's life and the degree to which the control of planters over their servants extended.

Ultimately, elite planters were unable to maintain their control over the laboring class consisting primarily of servants, but also containing increasing numbers of freedmen and slaves. The third chapter will demonstrate the difficulties faced by the planters in meeting the need for labor through the continuation of servitude as the primary source of labor in Virginia and Barbados. Bound laborers and those attempting to acquire access to the land and labor necessary to succeed in both colonies came to resent the control exercised by the large planters. Acts of individual resistance increased and combined with open rebellions instigated or joined in large numbers by servants, the control of

the planter class was challenged to an unacceptable level. A corresponding decrease in the supply of servants resulted in the planter class making the transition to slavery in order to meet the demand for labor while maintaining their legal and economic domination of the colonies. While race was a factor in the development of slavery, the similar conditions and reactions of both black and white laborers to the planter class demonstrate that economic and political factors provided the most important motivations for the decline of servitude in favor of slavery.

While Barbados and Virginia made the transition to slavery at different rates the motivations and results of this change were basically the same in both colonies. Because these factors were primarily related to the protection of the interests of the planter class the two colonies are examined together in order to strengthen the assertion that the key motivations to move from servitude to slavery were economic and political in nature. This joint analysis is not intended to slight or ignore differences in the colonies or to argue that variations in the rate of transition or the institution of slavery were not significant. Rather, the use of evidence from both colonies to analyze individual points serves to highlight the similarities in the process and demonstrate that Virginia and Barbados shared more in common than is typically portrayed in histories dedicated to each individual locale.

Chapter One:

“Origins and Composition: Analysis of the Servant Population in the Seventeenth Century”

In the spring of 1623, Richard Frethorne wrote to his parents in England from a plantation in Martin’s Hundred, Virginia. Complaining of poor treatment and the lack food, Frethorne told his parents that a certain Goodman Jackson, who had taken pity on him, “marvelled that you would send me a servant to the Company; he saith I had been better knocked on the head. And indeed so I find it now, to my great grief and misery; and saith that if you love me you will redeem me suddenly.”¹ Frethorne’s experience echoes across the centuries. The disillusion and misery apparent in his words is repeated on a vast scale for tens of thousands of individuals leaving their native land for the American colonies in the seventeenth century. Like Richard Frethorne, the majority of emigrants from England lacked the economic wherewithal to provide passage to the Americas and success once there. These individuals, men and women, children and adults, skilled and unskilled, traded years of their lives and labor for passage. In this way, more than one half to two thirds of the total population traveling to English colonies in the seventeenth century counted on indenture to secure fortune and opportunity unavailable in their native land.²

¹ Richard Frethorne, letter to his father and mother, March 20, April 2 & 3, 1623, in Susan Kingsbury, ed., *The Records of the Virginia Company of London* (Washington, D.C.: Government printing Office, 1935), 4: 58-62.

² Abbot Emerson Smith, *Colonists in Bondage: White Servitude and Convict Labor in America, 1607 - 1776* (Chapel Hill: The University of North Carolina Press, 1947), p. 336.

In order to understand the role played by indenture in the economic growth of Virginia and Barbados, it is first necessary to understand the origins, motivations, and characteristics of those choosing indenture as an alternative to life in their own country. Indentured servitude provided a necessary institutional labor source that not only provided the major source of labor in the Chesapeake and Barbados, but also provided institutional, legal, and social models through which the transition to chattel slavery was facilitated. Servants came to be viewed, albeit not to the same extent as African slaves, as a form of property. Through this institution it became a simple step to expand the idea of property rights in humans to legitimize slavery. This chapter examines the population of servants traveling to the Americas from England in the seventeenth century. After taking account of this population as a whole, differences in those individuals choosing to go to Virginia or to Barbados are discussed. In doing so, changes in the economies and societies of the two colonies, particularly the development of methods of control allowing planters to exercise property rights in servants, through legal and economic means are more easily understood. This will set the stage can be set for a more precise analysis of these changes at the local level in later sections of this work.

Those individuals departing England, especially during the early decades of the seventeenth century, left a country embroiled in economic turmoil. From the 1580s rising numbers of poor and destitute convinced proponents of colonial ventures in the Americas, such as George Peckham and both Richard Hakluyts (the elder and the younger), of the potential for the exportation and “the

maintenance of our poore, that els sterve or become burdensome to the realme.”³ Landowners, aristocratic and otherwise, gradually enclosed common lands previously devoted to the growth of cereal crops for the raising of sheep to participate in a growing textile industry. The transition from a feudal to a developing capitalistic economy failed to provide adequate jobs for the growing population, and the transition from an agricultural system devoted primarily to staple crops to one based on grazing livestock drove numerous farmers from their previous employment. Numerous laborers, husbandmen, and former tenant farmers were evicted from their homes to join an increasing number of unemployed and homeless leaving the countryside in search of opportunity in cities like Bristol and London. Periodic depressions, in 1603, again from 1619 to 1624, 1629 to 1631 and 1637 to 1640, as well as famine years from 1630 to 1633 exacerbated the problems of homelessness, poverty, crime, and starvation.⁴

In reaction to social and economic unrest, therefore, a large segment of the English population was willing to take any opportunity presented. In many cases this opportunity required leaving their native land. Approximately 500,000 persons, of whom 400,000 traveled to the Americas, left England during the seventeenth century, a greater proportion of immigration of the native population than any other European nation at that time. Of this number, servants

³ Richard Hakluyt (The Elder), “Inducements to the Liking of the Voyage Intended towards Virginia in 40 and 42 Degrees,” in *Envisioning America; English Plans for the Colonization of North America, 1580 - 1640*, ed. Peter C. Mancall (Boston: Bedford Books, 1585), pg. 34.

⁴ Carl Bridenbaugh, *Vexed and Troubled Englishmen, 1590 - 1642* (New York: Oxford University Press, 1967), pp. 71, 96, 355 – 358; Smith, *Colonists in Bondage*, pp. 43-46.

outnumbered free emigrants by three or four to one. The flow of emigrants to the Americas differed in destination as the situation in the various colonies altered through the century. The overall number choosing each location, however, gives some indication of the reputation and opportunity that each colony represented to those choosing to take their chances in a new land. Tobacco and sugar provided the vague promise of easily acquired riches, and most servants set their destinations accordingly. Through the seventeenth century some 225,000 emigrants left England for locations in the Caribbean, another 125,000 departed for the Chesapeake, and the rest traveled to New England and the Mid-Atlantic colonies. The different numbers of immigrants to the West Indies and the Chesapeake reflect the disparity between the two regions in terms of the wealth of the colonies. While great fortunes could be found in Virginia, Barbados represented the crown jewel of the English colonies in the seventeenth century. In 1680, Barbados alone shipped about 60 percent of the annual sugar tonnage imported to England, and the worth of Barbadian exports was greater than all the exports to England from all of the mainland colonies combined.⁵

Those servants leaving England and elsewhere for the Americas voluntarily, used one of several methods to find transport and indentures. Some arranged their own transport and sought employment once they arrived at their destination. The most prevalent method, however, was to arrange transport with one of the numerous merchants and agents in the ports and cities. This, in turn,

⁵ James Horn, *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake* (Chapel Hill: The University of North Carolina Press, 1994), pp. 24 – 26; Richard S. Dunn, *Sugar and Slaves: The Rise of the Planter Class in the English West Indies, 1624 - 1713* (New York: W. W. Norton & Company, 1972), p. 85.

led to the trade in servants, a major difference in the institution of indenture as it evolved in the Americas from its origins in the system of English apprenticeship. The practice of selling servants can be traced back to the early efforts of the Virginia Company to import laborers to the fledging colony and the practice of “renting” newly arrived colonists as laborers on private farms.⁶ From this precedent, servant contracts came to be treated as any other commodity; they could be bought, sold, traded or gambled, as property, regardless of the person represented by that contract. The resulting trade in servants became lucrative, attracting large numbers of speculators and merchants to the opportunity. The Bristol registrations of servants⁷ sent to the colonies in the Americas from 1654-86 record 2,871 different individuals recruiting servants. In lists of servants leaving Middlesex and London in the 1680s, 208 and 399 different persons, respectively, are listed as owners.⁸

The large number of individuals involved in the servant trade represented a wide variety of occupations. Among those occupations of buyers listed in the various registers include those that one would assume played a prominent role in this lucrative trade: merchants, shipwrights, mariners, and planters. Other

⁶ Smith, *Colonists in Bondage*, p. 10; Edmund S. Morgan, *American Slavery, American Freedom: the Ordeal of Colonial Virginia* (New York: W. W. Norton & Company, 1975), pp. 81-82, 106-107; David W. Galenson, *White Servitude in Colonial America* (Cambridge: Cambridge University Press, 1981), p. 11.

⁷ A note on Indenture Records: There exist four major sets of records for servants leaving England in the 17th century. These records consist of registers and contracts for Bristol from 1654-86, London from 1683-1686, Middlesex from 1683-84, and Liverpool from 1697-1707. Specific citations can be found in the bibliography. These have been extensively analyzed in other works, most notably in Galenson, *White Servitude in Colonial America*. For the purposes of this study these sources will be used primarily for illustration and support. As the Bristol Registrations cover the largest sample, over 10,600, and the greatest period of time, it will be the major source of information for this study. The others will be used where applicable to the subject and period under consideration.

⁸ Galenson, *White Servitude in Colonial America*, p. 97.

records, however, demonstrate that many individuals entered the trade in servants as a sideline, attracted undoubtedly by the high profits to be had. There were surgeons, glassblowers, innkeepers, grocers, tailors, yeoman, and others who held jobs unrelated to the colonies directly, but who obviously sought a good investment. Nevertheless, those listed as merchants, mariners, or planters dominate the surviving records with many of them involved heavily in the trade. For example, Henry Banks, a mariner from Bristol, signed and shipped 120 servants to the West Indies from 1656 to 1663. Banks concentrated on the Barbadian trade until 1662 when he switched his primary destination to Nevis. Of the 120 servants shipped by Banks, all but the last 21 traveled to Barbados. With estimated costs running from four to ten pounds per servant and a selling price ranging from six to thirty pounds, Banks' potential profit was anywhere from 240 to 2,400 pounds over seven years assuming no deaths in the passage to the colonies. This profit margin is typical and represented an easy profit for the trip to the colonies where the holds of the ships would be filled with tobacco or sugar for the return voyage.⁹

Banks' example also demonstrates another characteristic of the those involved in the servant trade; until the later part of the century, most individuals concentrated on either the mainland colonies or the West Indies. This, certainly, relates to the pattern of trade that developed from the unique agricultural and weather patterns of each area. The departure of ships was coordinated with the

⁹ Peter W. Coldham, *The Bristol Registers of Servants Sent to Foreign Plantations, 1654 - 1686* (Baltimore: Genealogical Publishing Co., Inc., 1988); Cost estimates from Smith, *Colonists in Bondage*, p. 39.

harvest of marketable crops, the weather patterns, and the demands of the planters who provided the market for the incoming servants. We can assume that the dates of registration occurred close to the departure of the ships due to the cost of maintenance of the servants for which the merchant was responsible. Given this assumption, the registrations of servants demonstrate marked seasonal patterns. In the Chesapeake region the number of registrations virtually ceases between December and June and several factors contribute to this behavior. First, the seasonality of the tobacco harvest led those merchants involved in this trade to time their arrival in the Chesapeake to correspond with the early fall harvest. Second, the planters themselves preferred to buy servants in the fall or early winter in order to avoid the late spring and summer time of “seasoning,” which saw the greatest mortality due to disease among new arrivals. In the West Indies this pattern is less pronounced. While the variation is less extreme than in the Chesapeake, the summer months of June through September show the fewest registrations of servants. The longer growing and processing times of sugar production allowed a greater flexibility for merchants trying to time their arrival, but the desire to avoid the hurricane season from August to early fall in the Caribbean caused a seasonal pattern to emerge in the registration of servants.¹⁰

Providing a thorough and personalized description of the servants themselves is a difficult if not impossible task. The surviving records relating to servants allow only a superficial portrait of voluntary servants leaving England.

¹⁰ Galenson, *White Servitude in Colonial America*, pp. 86-91; Morgan, *American Slavery, American Freedom*, pp. 183-184.

Accounts describing servants and their background were written by planters and government officials whose bias requires considering their point of view as much as their dependence on the servants themselves. It may be, as William Bullock contended, that servants were overall, “idle, lazie, simple people... such as have professed idlenesse, and will rather beg then work.” John Hammond agreed that in its early years Virginia had been populated with “Rogues, whores, desolute and rooking persons” by various methods including “Jayls emptied, youth seduced, infamous women drilled in.” Hammond, however, insisted that by the time of his work in 1656, Virginia at least possessed a population of “divers honest and vertuous inhabitants.”¹¹ The truth probably lies somewhere in the middle. Taken as a whole, these records demonstrate several characteristics common to indentured servants in the seventeenth century.

Servants represented a cross-section of society from all over England, from all occupations, ranging from the destitute to the middle class. During the seventeenth century, the gender ratios of the Chesapeake and West Indian colonies were heavily one-sided due to the fact that far fewer women were signed as servants than men. Six men left London for each woman in 1635, and from the 1650s to the end of the century the percentage of women leaving England never exceeded 24.5%. The percentage of women traveling to the colonies remained relatively stable throughout the last half of the

¹¹ William Bullock, *Virginia impartially examined* (London: 1649), p.14; John Hammond, “Leah and Rachel, or, the Two Fruitfull Sisters Virginia and Maryland,” in *Tracts and other papers relating principally to the origin, settlement, and progress of the colonies in North America*, ed. Peter Force (Washington: P. Force, 1656, 1836), pp. 7-8.

DECADE	NUMBER	% OF MEN	% OF WOMEN
1650S	2,954	75.5	24.5
1660S	4,548	76.0	24.0
1670S	2,549	78.7	21.3
1680S	2,267	76.9	23.1
1690S	873	77.5	22.5

TABLE 1.1 (Note: Information adapted from David W. Galenson, *White Servitude in Colonial America* (Cambridge: Cambridge University Press, 1981), p. 25.

century despite efforts to attract women to the colonies.(See Table 1.1) By the 1680s and 90s the gender ratio in the Chesapeake had risen only to one women for every two to three men. The situation in the West Indies was even worse. Richard Ligon, in 1647, commented on a yellow fever epidemic in Barbados saying that “for one woman that dyed, there were ten men.” While Ligon attributed that ratio to the harder lives led by men, a heavily skewed gender ratio is more likely to be in large part responsible for the disparity.¹²

The shortage of women in the colonies contributed significantly to the rise of the trade in indentured servants. As early as 1620 a shipment of young women was sent to Virginia to serve as wives for the colonists. Sir Edwin Sandys, who assumed the post of treasurer of the Virginia Company in 1619, firmly supported the policy of importing wives. He called for additional shipments of eligible young women, “maids young and uncorrupt to make wives.” His policy stipulated that “if they marry to the public farmors [tenants], [then they are] to be transported at the charges of the Company; If otherwise, then those that takes

¹² Horn, *Adapting to a New World*, pp. 35-38; Richard Ligon, *A True and Exact History of the Island of Barbados* (London: 1657), p. 21.

them to wife to pay the said Company their charges of transportation.”¹³ The practice of selling incoming female servants as wives became common and continued long after the dissolution of the Virginia Company, spreading by example to the West Indies. The early price in Virginia for a female servant was 120lbs of tobacco, six times that of a young male servant, and it is clear that the price differential is unrelated to the labor value of women . Female servants were assigned to domestic duties as household servants, nurses, and cooks. The practice of assigning women as laborers in the fields was relatively rare, although John Hammond acknowledged that “som wenches that are nasty, beastly and not fit to be so employed [in domestic duties] are put into the ground.” Their potential as mates may not have been the only possible attraction for buyers, yet William Bullock advised those women coming as servants that “if they come of an honest stock and have a good repute, they may pick and chuse their Husbands out of the better sort of people.” It is hard to believe that much choice in the matter of master or mate existed for servants, as marriage or pregnancy was prohibited to servants, yet the attraction of female servants to buyers is clear.¹⁴

The women recruited by merchants and agents tended to be from the lower classes. This is demonstrated by the fact that most of these women were illiterate. At least 98 percent of indentures prepared in Bristol by female and

¹³ Sir Edwin Sandys quoted in Kathleen M. Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: The University of North Carolina Press, 1996), p. 81.

¹⁴ Morgan, *American Slavery, American Freedom*, p. 95; Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs*, pp. 81-82; Galenson, *White Servitude in Colonial America*, pp. 24-26; Bullock, *Virginia impartially examined*, p.54; Hammond, “Leah and Rachel” p.12.

male laborers were marked rather than signed. The high demand, the large numbers of poor and unemployed young women in England, and the lucrative opportunity for merchants in this trade all combined to make the trade in female servants attractive, even to those who may not have been heavily involved in the servant trade as a whole. One example of this is the case of Thomas Gray. In 1669, Gray or his agent signed, over the space of a week, five women to indentures of four to five years. The women, Elizabeth Blessly, Margaret Roberts, Grace Davis, Dorcus Willmot, and Joane Joyce, signed their contracts; three agreed to serve in Virginia, one in Barbados, and Dorcus, significantly in either Virginia or Barbados. A day after signing the last servant, Gray entered another contract, this time with Capt. Nicholas Taney of Bristol, master of the ship *Samuel and May*. Gray assigned to Taney the responsibility of transporting the five women “to be made sale of in Virginia for four years for the acct. of the said Thomas Gray.” Gray entered the servant trade three other times for a total of 8 servants, 7 of whom were female. Gray’s example suggests that traders interested in maximizing their profit preferred female servants whenever possible, despite the need for field labor in the colonies. The women themselves raise more questions than answers. What would lead women, such as Dorcus Willmot, to sign away their futures on an unknown destination, in colonies where their greatest worth was as wives of unknown planters.¹⁵

¹⁵Hillary McD. Beckles, *White Servitude and Black Slavery in Barbados, 1627 - 1715* (Knoxville: The University of Tennessee Press, 1989), pp. 45-46; Isle of Wight County Records: Will and Deed Book 1; 1662 – 1687; Coldham, *The Bristol Registers of Servants*, pp. 180, 182, 257, 260.

Both male and female servants in the seventeenth century tended to be in their late teens or early twenties. The largest set of records, the Bristol registrations, does not include the ages of those represented. Therefore, the sample set of the remaining registers is somewhat limited, but an estimation of the overall ages of servants is possible. The total samples of servants show that at least two thirds of servants were between the ages of 15 to 25 with most of these over the age of 20. Of the approximately three hundred and fifty servants leaving London between 1683 and 1686, all but one was aged 40 years or younger. In this sample 75% of men were below the age of 25 and 15% were below the age of 15. Women were even more likely to be young, lending support to the idea that physical attributes and suitability for marriage made female servants more attractive as investments. Women under the age of 25 represent 86% of the London servants in these years with 49% under the age of twenty but less than 1% under the age of 15. The same trend can be seen in the Middlesex records from 1683-84 where all but one male was aged 41 or younger in a sample of around eight hundred servants. In the Middlesex records 73% of men and 80% of women were under the age of 25. Even the Bristol registrations can be interpreted to give the impression of a significant number of young persons being sent to the colonies. Given the fact that adults, those over age 21, typically served 4 to 5 years or less while minors served till the age of majority, the Bristol records show that 16% of these servants signed contracts over 4 to 5 years and, therefore, were under the age of 16. Many of these must have been either cared for by or some family member as many of the entries mention deceased fathers,

as in the entry representing “Nicholas, son of Edward Winston of Bristol, palmer deceased” who signed an eight year contract to Barbados with a feltmaker, Arthur Redwood. This tendency can be seen clearly in servants leaving London from 1682 to 1686, among whom two-thirds of those under the age of 21 were orphans.¹⁶

The youthful nature of indentured servants is illustrative of their social origins and occupations. Individuals between the ages of 15 and 25 would be most likely to possess little of substance or to have firmly fixed occupations. Roughly half of the servants traveling to the colonies, judging by listed occupation or that of their fathers, came from the lower middle-classes of society. The rest tended to be children, the poor, the unemployed, or the destitute and hence had little or no possibility of improving their lot in English society. The largest sample that provides a glimpse at the occupational makeup of the servant population comes from the Bristol registrations. In the period from 1654 to 1686, only eleven years give the occupation of the individuals.(See Table 1.2) The resulting information is instructive and provides insight into the changing conditions and demands in the colonies. Taken as a whole, the Bristol Registrations demonstrate that the largest percentage of servants with occupational designations came from agricultural backgrounds: farmers, yeoman, or husbandmen. The second largest category is made up of unskilled laborers. One can assume that a large percentage of those servants registered without occupations were youths or other individuals without skills or a trade.

¹⁶ Galenson, *White Servitude in Colonial America*, pp. 26-34; Beckles, *White Servitude and Black Slavery in Barbados*, pp. 42-44; Coldham, *The Bristol Registers of Servants*, p. 12.

These groups illustrate the low to lower middle-class origins of the servant population. Skilled servants or those from the gentry represent a significantly lower proportion of the total, with the largest proportion of these servants coming from the textile, clothing, or leather working industries.¹⁷

When analyzed by period, the results demonstrate a transition in the occupational status of the servants. In the earlier period, a combined 39% of servants registered came with backgrounds in agriculture or as laborers, and those with agricultural skills represented, by far, the largest single group. Only 19% of this sample were skilled craftsmen or tradesmen. By the 1680s the composition of vocations among servants leaving Bristol had changed substantially. Those in agricultural occupations had dropped to a mere

<i>Category</i>	1654 – 1660		1684 – 1686	
	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>
Gentlemen	31	1%	0	0%
Agriculture	800	30%	14	4%
Laborer	232	9%	45	12%
Food, Drink, or Services	80	3%	9	2%
Metal or Construction	161	6%	25	7%
Leather and Clothing	275	10%	54	15%
Unknown	1,096	41%	213	58%

Table 1.2: (Note: Information adapted from David W. Galenson, *White Servitude in Colonial America* (Cambridge: Cambridge University Press, 1981), p. 35.

¹⁷ Galenson, *White Servitude in Colonial America*, pp. 34-49; Morgan, *American Slavery, American Freedom*, p. 216; Horn, *Adapting to a New World*, pp. 32-34; Beckles, *White Servitude and Black Slavery in Barbados*, pp. 41-44.

4%, although laborers rose slightly to 12%. Servants with skilled trades rose to 26%. Similar ratios of occupational status appear among samples of servants leaving London and Middlesex in the 1680s. Fully half of the servants leaving London in 1683-1684 and having trades listed were skilled craftsmen or professionals. In Middlesex, skilled servants made up 26%, and servants with no trade listed represented 60% of the total. The rest were farmers or laborers. In all of these samples from the 1680s, servants with no occupation listed, perhaps representing those servants who were too young or too poor to acquire a skill, made up over half of all servants recorded.

Significant from these statistics is the rise in the numbers of unskilled workers and those with trades. After the 1650s in England, improving agricultural conditions, a short-term drop in population, and rising wages severely affected the types of servants leaving. By the 1680s agricultural occupations in the colonies, at least in the West Indies, had increasingly been relegated to African slaves, thereby lowering the demand for servants with agricultural skills or semi-skilled or unskilled laborers and raising demands for highly skilled servants. The transition in demand for servants to travel to each colony and the various local factors involved will be investigated further in later sections.¹⁸

This works has given a great deal of attention to those servants who traveled voluntarily to the American colonies from England and elsewhere, and it must be acknowledged that these servants represent the vast majority of the

¹⁸ Galenson, *White Servitude in Colonial America*, pp. 34-49; Horn, *Adapting to a New World*, pp. 32-34; Smith, *Colonists in Bondage*, pp. 253-260.

whole. There were, however, others who left their homes involuntarily. The large numbers of poor, uneducated, and indigent persons flooding the cities led more unsavory elements in society to take advantage of those unable to care for themselves. The increase in the demand for servants and the large profits available led an element of society, nicknamed “Spirits,” to organize operations preying on the poor, especially the young. Spirits and the large number of servants that they could provide became common parts of the servant trade in all large ports. William Bullock gave credit to these illegal operations for their role in the servant trade when he wrote, “the usuall way of getting servants, hath been by a sort of men nick-named *Spirits*, who take up all the idle, lazie, simple, people they can intice.” The victims would be taken to “a place where food shall drop into their mouthes: and thus being deluded, they take courage, and are transported.” Bullock further described the process by saying that “Servants are taken up by such men as we here call Spirits, and by them put into Cookes houses... where being once entered are kept as Prisoners untill a Master fetches them off.” These Spirits collected victims without concern for ability. Children, drunkards, the mentally challenged, the poor, all fell victim and found themselves held in large warehouses or aboard ship awaiting transport against their wills.¹⁹

It is impossible to put a number on the victims of these Spirits. The popular concern over the threat posed to inhabitants of these large cities, however, as well as the response from the English and colonial governments to

¹⁹ William Bullock, *Virginia impartially examined*, p. 14, 39; Smith, *Colonists in Bondage*, pp. 67-71; Peter W. Coldham, *Emigrants in Chains* (Surrey: Genealogical Publishing Co., Inc., 1992), pp. 46-47.

the trade lends credence to the idea that Spirit organizations played a large role, albeit illegal, in procuring servants for the colonies. Popular writings on the subject of colonial opportunities reflected the epidemic fear of Spirits in the cities. John Hammond wrote of his desire to tell the poor and unemployed of the opportunities in the colonies. He felt it wiser to hold his tongue in these cases because it “were dangerous to advise these wretches to better their conditions by travaile, for fear of the cry of, a spirit, a spirit.” Those accused of being Spirits brought numerous court cases against their accusers for fear of their public reputations being harmed by the accusation. Not all of those accused were innocent. It was rare for a Spirit to be brought to justice, but the case of one Haverland, brought to court in 1670 in London, provides an interesting case. To avoid a harsh sentence, Haverland turned king’s evidence and informed the court of two individuals in the local countryside who annually supplied West Indian planters with over 500 and over 840 servants apiece.²⁰

To answer the public outcry against the Spirits, Parliament passed an ordinance requiring all officers and ministers of justice “to be very diligent in apprehending all such persons [involved] in stealing, selling, buying, inveigling, purloining, conveying, or receiving Children so stolne.”²¹ Further Parliamentary action, first in 1645 and then again in 1646, ordered all Customs Houses to keep registers of all servants to prevent individuals from being bound as servants against their will. These acts, while well-intentioned, were ignored for the most

²⁰ Hammond, “Leah and Rachel” p. 18; Beckles, *White Servitude and Black Slavery in Barbados*, pp. 50-52.

²¹ *Tudor and Stuart Proclamations*, 2613a., cited in Smith, *Colonists in Bondage*, p. 71.

part, and local governments stepped in to take their own precautions. In 1654, the port of Bristol passed a regulation that stated:

“Whereas many complaints have beene oftentimes made to the Maior and Aldermen of the Inveigling, purloining, carrying and Stealing away Boyes Maides and other persons and transporting them beyond Seas and there selling or otherwise disposing them for private gaine and proffitt and it being a crime of much villany to have children and others in such a Barbarous and wicked manner to be soe carried away... It is this day agreed ordeined and enacted... that all Boyes Maides and other persons which for the future shall be transported... shall before their going a-Ship board have their covenants or Indenture of service and apprenticeship inrolled in the Tolzey booke.”²²

This Bristol ordinance made it illegal for ships to leave without adhering to this requirement and provided a £20 fine for those captains found in violation of the law. The prevalence of children as favorite targets of the Spirits prompted local colonial governments to pass measures to prevent children being imported as servants. The Barbados Assembly passed a law in 1651 that declared it illegal for any merchant “to bring into this Island, any Children of the *English Nation*... to be sold as Servants, under the Age of 14 years” unless proof could be produced that the merchant had the consent of the parents or guardian. Despite the efforts of governments and officials, Spirits and their victims remained a persistent part of the servant trade throughout the seventeenth century.²³

The young and poor were not the only segment of the servant population that traveled to the colonies unwillingly. The economic, civil, and political unrest that plagued England throughout the seventeenth century produced large

²² This Ordinance is found in the first pages of the Tolzey (i.e. Council) Books where the Bristol Registers are found. It is reprinted in whole or in part in Galenson, *White Servitude in Colonial America*, pp. 31 and Coldham, *The Bristol Registers of Servants*, p. V.

²³ J. Nicholson, *An Abridgement of the laws in force and use in Her Majesty's plantations* (London: 1704), p. 260; Smith, *Colonists in Bondage*, pp. 67-86; Beckles, *White Servitude and Black Slavery in Barbados*, pp. 47-51; Galenson, *White Servitude in Colonial America*, pp. 31.

numbers of criminal and political prisoners for whom the colonies represented punishment rather than opportunity. Large numbers of prisoners were available due to the legal system of England at this time. The laws of England in the late sixteenth and throughout the seventeenth century provided a penalty of death for some three hundred crimes, ranging from serious offences such as murder and highway robbery to more minor ones like stealing anything over the value of a shilling. The harsh nature of the system was partially assuaged by the custom of allowing some offenders to enter a plea of clergy and by the common practice of convicting minor offenders of lesser charges to avoid the death penalty. Nevertheless, the burgeoning prison population caused concern among government officials.²⁴

The large numbers of prisoners available provided an opportunity for fledgling colonies eager for laborers. As early as 1597, an Elizabethan Act provided for the imprisonment of homeless and unemployed beggars and wanderers, and as noted above, activists promoted the colony in Virginia as a destination for rogues, vagabonds, and the idle poor. Governor Dale of Virginia wrote to the king in 1611 and pleaded for him to “banish hither all offenders condemned to die our of common goales, and likewise to continue that grant for three years unto the colonie [for] it would be a redie way to furnish us with men.” Between 1615 to 1619 the Privy Council issued several warrants allowing judges to pardon offences on the condition of the criminal accepting transport to the colonies as servants. In later decades, the Crown issued several commissions to

²⁴ Smith, *Colonists in Bondage*, pp. 89-92; Coldham, *Emigrants in Chains*, pp. 43-46.

favorite counselors and officials to relieve small numbers of convicts, excepting only murderers, rapists, burglars, and witches, for transport to the colonies. In addition to criminals pardoned for transport, local governments with the cooperation of the Privy Council added large numbers of young and indigent youths to the number of those sent to the colonies against their will. The precedent was set in 1620, when the City of London and the Privy Council cooperated in organizing a group of “100 children out of the Multitudes that swarm in that place, to be sent to Virginia.” These boys were to be sent to the colonies at the expense of the city and to be apprenticed to planters as laborers. Another order from the Council of State provided for “1,000 Irish girls and the like number of youths, of 14 years or under” to be transported to Jamaica.²⁵

With the government sending convicts and children to the colonies to rid the country of unwanted problems it seemed a logical step to include the large numbers of prisoners taken by both sides in the civil unrest and wars of the seventeenth century. The parliamentary forces under Oliver Cromwell were quick to add political prisoners to the other undesirables being transported to the colonies. In 1651 the Rev. John Cotton wrote to Cromwell from Boston informing him that 150 Scots captured at Dunbar had arrived and been sold into servitude for 6 to 7 years. Another group of 900 Scottish prisoners was delayed by Virginia’s rebellion against the Commonwealth until the colony’s surrender in 1652. The major destination of these political prisoners was Barbados, and one

²⁵ Smith, *Colonists in Bondage*, pp. 89-95; Order of the Council of State, Oct. 3, 1655 in W. N. Sainsbury, et al., ed. *Calendar of State Papers, Colonial Series, America and the West Indies, 1574 - 1737*, Vol. 12, (London: 1860-66); Horn, *Adapting to a New World*, pp. 61-64.

planter estimated that Barbados had received and employed thousands between 1649 and 1655. In 1655, by one order, Cromwell sentenced “all English, Scots and Irish... prisoners in Dorchester gaol are to be forthwith sent to Barbados.” Other orders sent 1,200 men taken in Scotland to Barbados and Jamaica. The restoration of Charles II to the throne and the succession of James II did little to change the policy of exporting political prisoners to the colonies. The burgeoning rate of criminal and political convictions swelled prison populations, and the rate of pardons for transportation increased as did the practice of issuing commissions to court favorites. In 1686 Judge Jeffreys toured the Western Circuit in a series of trials that became known as the “Bloody Assizes.” James II instructed Jeffreys to provide transportable criminals to individuals, including the queen, to whom the king had allotted prisoners taken in the Monmouth rebellion in 1685 in batches of one hundred. Although angered by the favoritism displayed by the order and the treatment of the rebels, Jeffreys condemned 841 rebels to Barbados to serve terms not less than 10 years. The queen’s profits alone on the Monmouth rebels amounted to not less than 1,000 guineas. When considered in the context of the total numbers of servants, convicts and political prisoners represent a relatively small proportion. Yet, as historian Peter Coldham has claimed in consideration of convict labor, it was in the cases of transported prisoners that servitude most closely approached slavery. The same idea clearly worried contemporaries as is seen in a parliamentary debate in 1659 over the “enslavement” of the Salisbury rebels which centered around the

question of whether the Civil War had produced a flow of white “slaves” to the colonies.²⁶

Finally, in preparation for the more detailed analysis of Virginia and Barbados, one must have a general idea of the differences in servants traveling to these two locations. Overall, three main characteristics emerge from the records of servants leaving England in the seventeenth century. The first of these characteristics relates to the relative numbers traveling to each destination. Barbados represented, by far, the single most important colonial destination of servants in the 1650s, the first decade for which substantial numbers of records exist. In this decade Barbados received 70% of male and 65% of female servants. By the 1660s though, the importance of Barbados as a destination dropped precipitously as Barbadians rapidly adopted slavery. Barbados received less than 25% of both men and women in the 1660s, and the share dropped to only 10% in the 1670s. While efforts to increase the number of servants coming to the island helped to increase the percentage to 19% in the 1680s, it dropped to insignificant numbers from the 1690s on. Those servants departing for the Chesapeake region are the single largest group represented in the surviving records as a whole. From a low of 27% of male and 33% of female servants traveling to the Chesapeake in the 1650s, the numbers rose to around 60% or more in the 1660s and 1670s. While increased competition from Barbados and Jamaica in the 1680s dropped the number of servants traveling to the Chesapeake to a little over 40% of the total, more than half of all servants leaving England

²⁶ Beckles, *White Servitude and Black Slavery in Barbados*, pp. 52-56; Smith, *Colonists in Bondage*, pp. 89-96, 189-195; Coldham, *Emigrants in Chains*, pp. 48-50.

throughout the seventeenth and eighteenth century traveled to the Chesapeake. Virginia was the most important mainland destination from the 1650s to the 1670s. Maryland and Virginia received roughly equal numbers in the 1680s, and after 1690, Maryland eclipsed Virginia as the destination of choice in the Chesapeake.²⁷

The second and third trends evident when comparing servants by destination are occupational status and age. In all of the records of servants leaving England, except in the Bristol registrations in the years between 1654 and 1661, the West Indies received a higher proportion of skilled servants than the mainland colonies did. The differences are striking as the proportions of skilled servants destined for the West Indies in the Bristol registrations from 1684-86 are 20% higher than the mainland; in the Middlesex registrations from 1683-84 they are 35% higher. The prevalence of skilled servants traveling to the West Indies contributed to a higher mean age of servants going to the West Indies as younger servants would logically be less likely to have learned a trade before becoming indentured. This inclination is evident in the Middlesex registrations as the mean age of servants with listed occupations is 24.3 years while in the Middlesex group bound for the mainland the mean was 23.7 years.²⁸

The above characteristics provide important insight into the role of servants in Barbados and Virginia and will be expanded in later sections. It is, however, the exception to these characteristics that is most significant. The

²⁷ Beckles, *White Servitude and Black Slavery in Barbados*, pp. 36-46; Galenson, *White Servitude in Colonial America*, pp. 82-89; Horn, *Adapting to a New World*, pp. 65-69.

²⁸ Galenson, *White Servitude in Colonial America*, pp. 92-96.

records demonstrate that Barbados represented the destination for 70% of servants in the 1650s and that the number dropped after that. The same records also show that Virginia received the majority of mainland servants at that time. In the 1650s the ratio of skilled to unskilled servants did not differ significantly between Barbados and Virginia. It is only as slavery becomes established in Barbados and the West Indies as a whole, that more skilled servants choose these colonies as their destination and the total numbers of servants drops. The relationship is complex. The dropping supply of servants accelerated the demand for African slaves, and slavery changed the demand for servants as the rate of the transition to that form of labor accelerated. In the West Indies, common labor became the role of slaves from the 1660s on while skilled positions were reserved for white indentured servants. As time passed, the decreasing supply of servants required more slaves to be trained in skilled positions. The same pattern occurred in Virginia in the last decades of the seventeenth century as a similar progression to slavery transpired.

England in the late sixteenth and early seventeenth centuries was a country in turmoil as economic, social, and political unrest drove multitudes of poor from their homes. The lack of opportunity for the poor provided the impetus for a massive migration to the new American colonies through the institution of indentured servitude. The resulting emigration provided, by far, the largest numbers of persons traveling to the colonies and supplied the labor necessary to establish the colonies as viable economic entities. The servant trade assumed great importance as large cargoes of white servants assumed a common status

with cargoes of sugar and tobacco as merely profit generating merchandise. The surviving records related to the departing servants portray a group that was overwhelmingly male, young, and for the most part unskilled and poor. Women who chose indenture were valued more for their gender and the possibility of marriage than for their worth as free persons. Early Virginian and Barbadian society attached property rights to their servants, and challenges to planter control of those servants spurred the transition to chattel slavery.

Chapter 2
“People as Property: Indentured Servants in Society during the
Seventeenth Century ”

On July 22nd in 1640, a complaint was made to the General Court of Virginia by one Captain William Pierce, Esquire. On a Saturday night, four days previously, six of his servants and a “negro of Mr. *Reginolds*” attempted to steal a small boat, provisions, and weapons for a flight northward to the “Dutch plantation.” Captured on the Elizabeth river, the seven were brought before the court and the particulars of the plot exposed. The court identified Christopher Miller, described as a Dutchman, as the leader of the conspiracy. They further found “*Emanuel* the negro” responsible for gathering the various stolen goods in preparation for the flight from Pierce’s plantation. Wishing to set an example to discourage further acts of rebellion, the court sentenced the runaways to a severe list of penalties. Christopher Miller and Emanuel received the most severe punishments. The court decided that Miller “should receive the punishment of whipping and to have thirty stripes, and to be burnt on the cheek with the letter R.” Not content with this, the court further ordered that Miller was “to work with a shackle on his leg for one whole year, and longer if said master [Pierce] shall see cause and after his full time of service is Expired... to serve the colony for seven whole years.” Emanuel received exactly the same punishment except that no additional service was ordered which is perhaps an indication of his slave status. The other servants received punishments ranging from whippings, additional service, one branding on the cheek for Miller’s closest

associate, and combinations thereof. One servant escaped punishment altogether for undisclosed reasons.²⁹ This case can be interpreted as a microcosm of seventeenth century Virginian society. These proceedings reveal the rise of a planter elite and a legal system designed to solidify its control of a society and economy based upon the bound labor of others. Christopher Miller, Emanuel, and the five other servants represent bound labor, fleeing a society in which they represented the lowest segment of society with only minimal rights and opportunities. Further, the shared motivation to escape their situation on the Pierce plantation of six white servants and one black slave demonstrates a rough equivalency in status and treatment between both servant and slave during this period. The development of property rights in servants and the similarities between servants and slaves form the bases of the final two chapters of this thesis.

This chapter will investigate the evolving role of indentured servants in Virginian and Barbadian society and economy during the seventeenth century. The previous chapter introduced the idea of servants being considered a form of property by the merchants and planters participating in the widespread trade. In Barbados and Virginia indentured servants formed the primary source of labor before the institution of chattel slavery became more attractive economically and socially to an elite planter class. It will be argued that a gentry class of planters in both colonies attempted through legal and economic means to establish control over the laboring class, made up primarily of white indentured servants,

²⁹ H. R. McIlwaine, ed. *Minutes of the Council and General Court of Colonial Virginia*, 2nd ed. (Richmond: Virginia State Library, 1979), p.467.

and thereby control of the colony itself. It is in the methods of control through the legal and political institutions of the colonies and dominated by the planter class that one can discern the view of servants as a type of property. Challenges to this control provided the motivation to move fully to a system of labor based on slavery, which was easier to control and possessed economic benefits over the continued reliance on white servants. These challenges and the motivations for the transition from servitude to slavery form the basis of the next chapter.

By the time the company organized by Sir William Courteen and Captain John Powell founded Barbados, in February of 1627, Virginia had been an ongoing venture for twenty years. The particulars of the founding of Virginia and Barbados are not crucial to the overall argument, but it is important to note the similarities of the two colonies in order to validate the larger assumption that trends that occurred in both form a larger pattern in the transition from servitude to slavery. Both colonies were initially founded by joint-stock companies organized for the express purpose of earning a profit. Both colonies went through short, fitful periods in which individuals searched for a product or commodity that would provide a staple export and allow the colonies to become economically viable. Tobacco provided this staple commodity for the Virginian economy from the early 1620s. John Pory provided an early picture of the tobacco boom by claiming, "All our riches for the present doe consiste in Tobacco, wherein one man by his owne labour hath in one year raised himselfe

to the value of 200£ sterling.” Another, according to Pory, used six servants and reaped “a thousand pound English.”³⁰

The colonists in Barbados, during the first two decades, experimented with tobacco, cotton, indigo, and finally sugar. Guided by the example of Brazilian sugar plantations, Barbadian planters learned the techniques necessary to grow and process sugar cane. Richard Ligon, who lived on the island from 1647 to 1650, described the process as one where planters obtained the initial sugar plants from Dutch merchants in Pernambuco, Brazil. The planters “made tryal of them ... and finding them to grow, they planted more and more, as they grew and multiplied on the place, till they had such a considerable number, as they were worth the while to set up a very small Ingenio [processing engine].” The planters of Barbados, almost en masse, switched to sugar production throughout the 1640s. By the late 1650s sugar dominated the agricultural exports of Barbados, and the island had the highest population and became the most lucrative colony in the English Americas.³¹

In the organization of land tenure, Courteen and Powell followed the example of the Virginia Company by assigning company land to tenants who provided the labor necessary to clear and cultivate it. Early dissension in both colonies occurred as colonists struggled for the right to own personal real estate.

³⁰ John Pory to Sir Dudley Carleton, Sept. 30, 1619 in Lyon Gardiner Tyler, ed. *Narratives of Early Virginia* (New York: Scribner & Sons, Inc, 1907), pp. 284 – 285; Edmund S. Morgan, *American Slavery, American Freedom: the Ordeal of Colonial Virginia* (New York: W. W. Norton & Company, 1975), pp. 100-115.

³¹ Richard Ligon, *A True and Exact History of the Island of Barbados* (London: 1657), p. 85; Richard S. Dunn, *Sugar and Slaves: The Rise of the Planter Class in the English West Indies, 1624 - 1713* (New York: W. W. Norton & Company, 1972), pp. 59-67.

In Virginia, the implementation of the headright system³² tied land ownership to the encouragement of immigration. Widespread speculation from the 1620s on placed the prime arable lands in the hands of relatively few individuals. In Barbados, after the earl of Carlisle took control of the island from Courteen in 1629, the policy against private ownership of land was scrapped, and Carlisle granted numerous land patents in exchange for a modest rent. This policy assigned forty thousand acres of land to 250 individuals by 1630, and by the end of the 1630s the entirety of the arable land on the island had been parceled out. Land ownership changed hands numerous times in the scramble to amass sizeable estates, and in Barbados the average size of a sugar plantation actually declined over time. In both colonies, however, there emerged a distinct planter class that held title to the best lands and, therefore, assumed a powerful role in the governing and regulation of the colony. This is clearly evident in Barbados where, in 1639, Governor Henry Hawley's eight councilors included seven who were captains of the militia as well as being large landholders, four of whom held 500 acres or more.³³

Each of the above factors influenced the development of Virginia and Barbados and significantly promoted the development of large planter elites, especially their control of large tracts of fertile land. Nonetheless, as important

³² Governor Thomas Dale implemented the 'headright system' in 1616 in order to encourage immigration. It assigned fifty acres to anyone immigrating to the colony or who paid the transportation of another adult individual.

³³ Dunn, *Sugar and Slaves*, pp. 49-52; Morgan, *American Slavery, American Freedom*, pp. 108-119; David Hackett Fischer, *Albion's Seed: Four British Folkways in America* (New York: Oxford University Press, 1989), pp. 208-225; Hillary McD. Beckles, *White Servitude and Black Slavery in Barbados, 1627 - 1715* (Knoxville: The University of Tennessee Press, 1989), pp. 13-22; James Horn, *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake* (Chapel Hill: The University of North Carolina Press, 1994), pp.340-341.

as the control of land was in the acquisition of wealth, it was the access and control of available sources of labor that proved the critical factor in the economic success of both colonies. This is the role played by indentured servitude in the formative decades of both. Tobacco and sugar were labor intensive crops and planters, motivated almost exclusively by the desire for profit, turned to servants for labor. As mentioned earlier, the Virginia Company practice of renting laborers to tenants and later of “selling” servants contracts to planters began within the first decade of the colony’s history. As in the system of land ownership, Barbados followed the example set by Virginia and tapped into a growing supply of servants being signed and shipped to the English colonies in America. Numerous historians have discussed the types of individuals traveling as servants to the colonies. While the vast number of these servants defy a single classification, they were on average young, unskilled males who signed contracts from four to seven years.³⁴ Governor William Berkley complained of the lack of skilled servants saying that Virginia planters bought “onely such servants as have been brought up to no Art or Trade, hunger and fear of prisons bring to us, which we must entertain or have none.”³⁵ This combination of a laboring class supplied to a system geared for profit led to a society in which servants, for the length of their contracts, became the property of the planters who purchased them.

The power exercised by the planter class over servants went well beyond that previously considered normal in England and attests to the evolution of

³⁴ See Chapter 1 for a thorough analysis of the composition of the servant population.

³⁵ Sir William Berkeley, *A Discourse and View of Virginia*. (Norwalk, Conn: William H. Smith, Jr. 1663, 1914), p. 4.

servitude in the Americas as a system that viewed people as possessions. Servants in England typically served contracts of a single year except in the case of guild apprentices. Laws and custom gave servants in England a great deal of control over their lives and service. They could renew their service or not on a yearly basis and in the vast majority of cases the masters had little control over the personal lives of their servants nor could they trade or sell their servants to another.³⁶ Servitude in the Americas allowed planters to control the lives of their servants for the length of their indenture. The extent of this control argues against the view of some historians that indenture allowed merely the control of the labor of these servants. Many historians have argued that the finite term of indenture is the crucial element to the master-servant relationship; that the indenture contract allowed the control of the labor of the individual rather than control of the individuals themselves. The persistence of this argument is impressive with historians such J. C. Ballagh in 1895, Abbot E. Smith in 1947, and David Galenson's 1981 primarily economic definition of servitude all emphasizing labor and the limited period of the contract.³⁷ However, Edmund S. Morgan disagreed and described the process best stating,

... we can see not only the fleeting ugliness of private enterprise operating temporarily without check, not only greed magnified by opportunity, producing fortunes for a few and misery for many. We may also see Virginians beginning to move toward a system of labor that treated men as

³⁶ Morgan, *American Slavery, American Freedom*, pp. 126-128.

³⁷ J. C. Ballagh, *White Servitude in the Colony of Virginia* (Baltimore: The Johns Hopkins Press, 1895); David W. Galenson, *White Servitude in Colonial America* (Cambridge: Cambridge University Press, 1981); Abbot Emerson Smith, *Colonists in Bondage: White Servitude and Convict Labor in America, 1607 - 1776* (Chapel Hill: The University of North Carolina Press, 1947).

things... [and] a tightening of labor discipline beyond what had known in England and probably beyond what had been formerly known in Virginia.³⁸

Control of this laboring class by an elite planter class occurred in both colonies and is seen in laws, treatment, and estate records of the planter class.³⁹

Legally, servants retained few of the rights of free individuals throughout the length of their indenture contract. The legal system in both Barbados and Virginia was designed to maximize the protection of the property rights of the planter class as it was written and implemented by legislative assemblies dominated by members of that same class. In Virginia, the Governor's council, the only court in the colony until 1634, supported masters' interests over those of servants even in some cases of extreme abuse. The Assemblies in both colonies passed laws regulating behavior and lifestyle of servants for the benefit of owners consolidating practices known earlier merely as "custom of the country." The legislature in Barbados did not pass a comprehensive legal code until 1661, but the emphasis is clear from the title: "An Act for the Ordaining of Rights between Masters and Servants." The preamble stated,

Where much of the interest and substance of this island consist in the servants brought during the time they have to serve ... yet great and often damages hath happened... through the unruliness, obstinacy and refractioness of the servants. And whereas, also it much concern the peace of this island, that a continual strict course should be taken to prevent the bold extravagancy and wandering of servants...⁴⁰

³⁸ Morgan, *American Slavery, American Freedom*, p. 129.

³⁹ Dunn, *Sugar and Slaves*, pp. 47-83; Horn, *Adapting to a New World*, pp. 267-276; Morgan, *American Slavery, American Freedom*, pp. 119-130.

⁴⁰ Cited in Beckles, *White Servitude and Black Slavery*, p. 81.

From examples in both colonies, the similarity in legal restrictions on the activities and behavior of servants demonstrates the attitudes toward servants that later were used to define slavery.⁴¹

Servants were required by law to work at the behest of their Master and where, when, and to what degree the Master directed. Laws and custom in both Barbados and Virginia prohibited servants from leaving the plantation or other workplace of their master without permission. Barbadian law stated that “If a Servant shall wilfully absent him, or her self, out of his or her owners Plantation or Service, without Licente or Ticket, he shall ... serve his Owner for every two hours absence, one whole day.”⁴² Similar legislation in Virginia provided that the absent servant should “make satisfaction by serving after the time by Custom, or Indenture, is expired, double the time of service so neglected.”⁴³ These laws proscribed the slightest absence of servants without consent from the labor designed solely to benefit their owners.

While short absences were treated as nuisances, the law punished runaways severely. This problem struck at the very heart of the control exercised by the planter class over its laborers, and both colonies aimed legal retribution at not only the servant but those who encouraged or took advantage of servants fleeing other masters. In 1642, Virginia passed a statute directed at the “divers loytering runaways in the collony who very often absent themselves from their

⁴¹ Beckles, *White Servitude and Black Slavery*, pp. 75-82; Morgan, *American Slavery, American Freedom*, pp. 125-157; Dunn, *Sugar and Slaves*, pp. 59-74; Horn, *Adapting to a New World*, pp. 273-274

⁴² J. Nicholson, *An Abridgement of the laws in force and use in Her Majesty's plantations* (London: 1704), p. 263.

⁴³ Nicholson, *An Abridgement of the laws in force and use in Her Majesty's plantations*, p. 59.

masters service, And sometimes in two or three monthes cannot be found.” This measure stipulated a penalty of “double the tyme of service soe neglected” and that those servants repeating the offence “be branded in the cheek with the letter R.” Once captured runaways could expect to be treated harshly by officials and their master. One 1668 law excused “Corporal Punishment moderately inflicted.” Another, more severe law passed in 1670, ordered “Every constable to whose Hands the said Fugitive shall be first committed, shall ... whip him severely.” The same ordered the runaway’s master and “every Constable through whose Precincts [the servant] passes to do the like.” Barbados provided similar punishments for runaways in terms of additional time but without the mandatory whipping or branding. One difference in Barbadian law addressed those servants attempting to escape the island aboard ships trading in Barbados. The law imposed a mandatory three years of additional service on offending servants and imposed requirements for a security fee from the ships and associated merchants trading in the island.⁴⁴

The challenge to the authority of a master’s property rights over servants is further evident in laws providing stiff fines for those individuals encouraging or aiding runaways. A 1642 Virginia law provided fines of 20 pounds of tobacco per night of a servant’s absence for “divers persons who entertain and enter into covenants with runaway servants... thereby also encourageing servants to runn

⁴⁴ William Waller Henings, ed. *The Statutes at Large: being a collection of all the laws of Virginia, from the first session of the legislature, in the year 1619* (New York: R. & W. & G. Bartow, 1819 - 1923), Volume I, pp. 254-255; Nicholson, *An Abridgement of the laws in force and use in Her Majesty's plantations*, p. 56; Beckles, *White Servitude and Black Slavery*, pp. 81-86; Morgan, *American Slavery, American Freedom*, p. 217; Kathleen M. Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: The Univeristy of North Carolina Press, 1996), pp. 152-154.

from their masters.” This law evidently did not provide enough discouragement of this practice, and in 1666 the fine was increased to 60 pounds of tobacco. Barbadian law provided a fine of 100 pounds of sugar for each day that an individual harbored a servant unknowingly and a 500 pounds of sugar daily fine for those who knowingly harbored a runaway. Additionally, the law in Barbados punished servants “of one Plantation, [who] entertain or hide a Servant, belonging to another Plantation” with one year of additional service.⁴⁵

Servants engaged in economic activity benefiting themselves ran contrary to the protection of the exclusive right of masters over the production of their servants. Both Virginia and Barbados prohibited this activity with penalties for any freeman who might become involved in this type of action with another’s servants under the idea that this might encourage servants to steal from their masters. In 1658, Virginia passed a law fining “divers ill disposed persons [who] do secretly and covertly trade and truck with other mens’ servants... to the great injurie of masters.” The law stipulated that any person, whether another planter, a fellow servant, or freeman trading with a servant without the master’s permission should pay four times the value of the goods traded to the master of the offending servant. A 1662 statute added a mandatory one month imprisonment to any freeman trading with servants. In Barbados the law provided three times the value of the traded property plus a 500 pounds of sugar fine to be split between any informer and the government. Further punishment

⁴⁵ Henings, ed. *The Statutes at Large*, I, pp. 253-254; Nicholson, *An Abridgement of the laws in force and use in Her Majesty's plantations*, p. 264.

was provided for any servant stealing “his Masters Stock, Goods, Provisions, or Commodities.”⁴⁶

In the laws examined thus far the economic interests and control of the planter class were protected from a loss from runaways or theft. This protection, however, extended further than just an absent or dishonest servant and crossed into the realm of controlling the behavior, lifestyle, and personal activities of servants. The clearest example of this control is seen in laws prohibiting servants from marrying or having children without consent during the terms of their contract. In order to prevent the disruption of a servant’s ability to provide labor to the benefit of their master, Virginia passed a law in 1643 against the “many great abuses and much detriment ... to the service of manye masters of families in the collony.” Backdating the law to January of 1640, the Assembly provided that men marrying female servants against an owner’s will be punished with an extra year of service. The female servant would be more heavily punished by doubling the “tyme of service.” In Barbados the punishments were harsher still with a penalty of four years provided for male servants marrying without permission and doubling a female’s indenture. Further statutes punished freemen marrying female servants in both colonies by forcing them to pay a fine of double the amount the service of the servant was worth.⁴⁷

Given the right of the planter class to control its servant to a level previously unprecedented in English experience, it soon followed that abuse and

⁴⁶ Henings, ed. *The Statutes at Large*, I, p. 445; Nicholson, *An Abridgement of the laws in force and use in Her Majesty's plantations*, pp. 60, 264.

⁴⁷ Henings, ed. *The Statutes at Large*, I, p. 252-253; Nicholson, *An Abridgement of the laws in force and use in Her Majesty's plantations*, pp. 263.

mistreatment of servant became common. Certainly cases of mistreatment of servants rarely approached the abuse and physical punishment experienced by chattel slaves in later decades. Nevertheless, certain instances of abuse, especially in the earliest decades of both colonies, paint a horrific picture of the common existence of many servants. One case, admittedly extreme, is that of John and Alice Proctor of Virginia. The Proctors were accused in October of 1624 of beating and misusing two of their servants, Elizabeth Abbot and Elyas Hintone, who later died of their wounds. Testimony from various sources claimed that at various times the Proctors had inflicted 500 lashes on Elizabeth Abbot after which “her flesh in some places was raw and very black and blew.” Other witnesses claimed that John Proctor had struck Elyas Hintone with a rake several times after which Elyas had complained that “my M[aster] hath beaten me and I think he hath killed me.” While other witnesses claimed that the Proctors were not responsible for the deaths, none denied that “moderate” punishments had been inflicted on the two servants. Others claimed the punishments justified for the servants’ crimes of running away and their rebellious attitudes.⁴⁸

Other extreme mistreatment of servants became associated with Barbados early in its history. An example of this abuse is clearly seen in the complaint leveled by a servant, John Thomas, to the governor in 1640. Thomas protested that he had been “inhumanly and unchristianlike” tormented by his master, Francis Leaven and Samuel Hodgins. Investigation revealed that

⁴⁸ McIlwaine, ed. *Minutes of the Council*, pp. 22-24; Morgan, *American Slavery, American Freedom*, p. 127; Horn, *Adapting to a New World*, pp. 270-274.

Thomas had been punished by being hung “by the hands, with burning matches between his fingers” and ultimately “lost the use of severall joynts.” In this case of excessive brutality, the governor forced the masters to pay for the servant’s medical treatment and ordered his release from his indenture. Here the punishment of the owners for the torture of their servant ordered by the Governor aimed solely at the property rights of the owners rather than punishing the owners themselves. One 1667 report described large gangs of white servants serving in the cane fields without shirts or shoes and driven by cruel overseers.⁴⁹

The mistreatment of servants became a problem for both colonies in their efforts to attract large numbers of indentured servants to fill the ever-increasing demand for labor. Travelers’ accounts and other tracts spread the reputations of both colonies as places where a servant could expect harsh treatment and difficult living conditions. Richard Ligon attributed the treatment of servants in the 1640s to the personality of the master saying that “the usage of the Servants, it is much as the Master is, merciful or cruel; Those that are merciful, treat their Servants well... [but] if the Masters be cruel, the Servants have very wearisome lives.”⁵⁰ The same type of language can be seen in early documents from the Virginia Company; in June of 1623, for example, a Court found that “divers masters in Virginia doe much neglect and abuse their servants there with intollerable oppression and hard usage.”⁵¹

⁴⁹ Cited in Beckles, *White Servitude and Black Slavery*, pp. 90-91; Dunn, *Sugar and Slaves*, pp. 53-54.

⁵⁰ Ligon, *A True and Exact History of the Island of Barbados*, p. 44.

⁵¹ Susan Kingsbury, ed. *The Records of the Virginia Company of London* (Washington: Government Printing Office, 1906), p. 442.

A spreading reputation of cruelty to servants struck at the heart of the labor system developed in Virginia and Barbados by threatening the continued supply of servants needed to work the tobacco and sugar plantations. The Assemblies of both colonies responded to the harsh treatment of servants in order to maintain the supply of servants traveling to the colonies. It is, however, the late date of these laws that is instructive in that it was not until the supply of labor was threatened that decisive action was taken to remedy the worst cases of mistreatment. In Virginia the assembly passed a law in 1661 to address “the barbarous usage of some servants by cruell masters [which] bring soe much scandall and infamy to the country in generall.” In this law the assembly clearly stated that its major concern was “that people who would willingly adventure themselves hither, are through feare thereof diverted, and by that meanes the supplies of particuler men ... [be] very much obstructed.” In order to protect the supply of servants the assembly provided that “every master shall provide for his servants competent dyett, clothing and lodging, and that he shall not exceed the bounds of moderation in correcting them beyond the meritt of their offences.” The law went further by providing servants the important right to complain to the courts of “harsh or bad usage, or else of want of dyett or convenient necessaries.” This right, of course, had always been implicitly provided to all Englishmen, including servants. In practice, however, as seen in the example of the Proctors described above, the courts were controlled in large part by members of the same class as those accused of mistreating their servants. The 1661 law is significant in the fact that it was written and passed by an assembly

made up of Virginia elite. Nevertheless, it must be noted that the law addressed the subject some fifty years after the system of indenture evolved and after decades of abuse and mistreatment. It took a direct threat to the labor supply to force strong action.⁵²

In the same year that the Virginia statute addressed servant mistreatment, Barbados addressed the same issue in “An Act for the Ordaining of Rights between Masters and Servants.” While not addressing the issue with the same detail as the Virginia law, the Barbadian assembly specified several measures to prevent the abuse of servants. The first measure addressed violations associated with the “Spirit” organizations in England by prohibiting the importation of children under the age of 14 without proper documentation.⁵³ These laws also provided for those claiming to have been kidnapped the right to present their cases in front of a court. A separate law prohibited anyone from burying any “Christian servant” until “the Body hath been viewed by the next Justice of Peace” in order to prevent any master from hiding evidence of mistreatment resulting in the death of a servant. Another measure prohibited owners from neglecting or turning out a sick servant saying that any “such Servant... so neglected or turned off shall be Free.” Finally, one part of the 1661 act reaffirmed a 1652 statute confirming a servant’s right to complain in court of mistreatment at the hands of his or her master. To prevent servants from filing spurious suits a penalty doubled the time for a servant who “unjustly troubles his

⁵² Henings, ed. *The Statutes at Large*, II, pp. 117-118; Morgan, *American Freedom, American Slavery*, pp. 125-130; Fischer, *Albion’s Seed*, pp. 207-236; Horn, *Adapting to a New World*, pp. 147-150.

⁵³ See Chapter One, pp. 20-22, for a full discussion of Spirit organizations.

Owner with Suits at law.” As in Virginia, it is significant that Barbados made such an effort to protect servants from misuse. Yet by the time these laws were passed Barbados had moved to chattel slavery in response to an inability to meet the labor needs of the colony and control the laboring class to maximize the labor output of servant.⁵⁴

Despite the efforts of the governments of Virginia and Barbados to protect the rights of servants and the differentiation of servants and slaves to be discussed below, the planter class displayed the prevalent view of servants as property in many ways. This can be clearly demonstrated in the wills and probate records associated with the estates of large planters in which servants are plainly categorized as merely another type of property to be distributed among the heirs of the deceased planter. The indenture contract, therefore, transcended an obligation between two individuals, and the servant became a type of property assignable to whomever the owner saw fit. As property, these servants were listed and valued along with slaves, home furnishings, livestock, and farming implements. In Virginia, the estate of Abraham Moore valued “one boy having upward of 3 years to serve” at 1,200 pounds of tobacco while valuing “one gray mare” at 2,000. Elias Edmonds’ estate, recorded in June of 1654, listed “a maid servant to serve 8 months” and valued her at 600 pounds of tobacco. The same assessment listed “1 suit of Curtains and Vallens, 1 feather

⁵⁴ Nicholson, *An Abridgement of the laws in force and use in Her Majesty's plantations*, pp. 263-265; Beckles, *White Servitude and Black Slavery*, pp. 83-89; Dunn, *Sugar and Slaves*, pp. 85-89.

bed, one bolster, two pillows, 1 red rugg, 1 blanket old canvas and of feathers, a bolster of the same, 1 green rug” all valued at 1,150 pounds of tobacco.⁵⁵

The tendency to include servants in assessments of property and assign them a monetary or commodity value was common in Barbados as well. A Barbadian inventory of the Pace Plantation in July, 1640 shows the same system of assigning value to servants based on the time remaining in their contracts as seen in Virginia. Thomas May was assigned a value of 700 pounds of cotton for the five years remaining on his contract, while the inventory assigned the same value to a maid servant, Elizabeth Moore, with only four years of service remaining. The difference attests to the greater value ascribed to female servants due to the relative scarcity of women in the two colonies. Another instructive example is seen in a governor’s estate agent’s report from Barbados in June of 1640. The agent recorded the appraisal of “all such good cattle and chattel as are now upon the Plantation...” of George Bulkley. Among the items listed were nine servants valued at 3,120 pounds of cotton.⁵⁶

The value of servants could be assigned to support others or secure debts. Humphrey Clark left instructions in his will recorded in March of 1655 that his servants “be kept together and the one half of the benefit of their Labour shall be made use of for the maintenance of my son John Clarke at school.” A deal between Mathew Kempe and Leonard Howson arranged payment for a tract of land over five years with a mixture of cash and servants being used to secure the

⁵⁵ Lancaster County, VA.: Deed, Wills, Settlements of Estates, Etc., 1654 – 1702.

⁵⁶ Inventory of Capt. Pace’s Plantation and Estate records cited in Beckles, *White Servitude and Black Slavery*, p. 72, 74.

debt. A bargain in Barbados in 1640 had Richard Atkinson secure a deed of sale with John Batt by providing that “It shall be for the said John Batt... to take the body of me Richard Atkinson, servant for the terme of six years” in the case of Atkinson’s financial default. Very few servants had any power over these transactions. A few, such as a Virginia servant, Mathew Welbeloved in 1651, had the foresight to include in their indenture contracts a stipulation stating that they could not be sold without consent. For most, however, their contracts and their persons went wherever and with whomever they were assigned.⁵⁷

The value attributed to servant contracts was traded, gambled, sold, and otherwise transferred among planters. These practices are another example of the rights of an owner to assign and exchange servants in whatever manner they wished without regard to the interests or wishes of the servant. A Dutch sea captain reported seeing planters playing cards using their servants as gambling stakes.⁵⁸ Richard Ligon wrote of an incident in which a planter bargained with another over “a good store of servants, out of the last ship that came from England.” The planter offered provision in exchange saying that “If you will let me have some of your womens flesh, you shall have some of my hogs flesh.” Scales were set up and a price of “a groat a pound for the hogs flesh, and six-pence for the Womens flesh.” Ligon commented that while this type of exchange was rare “yet ‘tis an ordinary thing there, to sell their servants to one another for

⁵⁷ Isle of Wight County Records: Deeds, Wills, Guardian Accounts, Book A; 1636 – 1767, Reel 1; Atkinson deed of sale cited in cited in Beckles, *White Servitude and Black Slavery*, p. 74; Lancaster County, VA.: Deed, Wills, Settlements of Estates, Etc., 1654 – 1702.

⁵⁸ Cited in Morgan, *American Freedom, American Slavery*, p. 128.

the time they have to serve; and in exchange, receive any commodities that are in the Island.”⁵⁹

Not only were servants bought and sold as any other merchandise, they were so valuable that cases of servants being embezzled or stolen are common. In August of 1637 Joseph Sanders, an English merchant, petitioned the Privy Council in England complaining that Captain Hugh Weston had stolen the 83 servants traveling aboard his ship when Sanders’ factor died during the voyage. Another case occurred in September of the same year when Lawrence Evans complained that three ships’ Captains “embezeled ... not onely divers Servaunts but Goods to the value of Two thousand pounds.” It is clear that servants, at least for the period of their indenture, became marketable commodities that were bought, sold, stolen and controlled by a planter and merchant class more interested in profit than the rights or interests of their servants.⁶⁰

The trade in servants was not without protest as the trade in English servants drew inevitable comparisons with the slave trade. One servant in Virginia in 1623, Thomas Best, wrote indignantly that “My Master Atkins hath sold me for a £150 sterling like a damnd slave.”⁶¹ Others refused to take part in the trade in servants. A complaint filed with the governing Council in Virginia by Robert Newman charged one Mr. Weston with refusing to transport servants aboard his ship on a trip from Canada. A witness stated that Weston replied to the contract by stating that in Virginia “servants were sold heere upp & doen like

⁵⁹ Ligon, *A True and Exact History of the Island of Barbados*, p. 59.

⁶⁰ W. L. Grant, et al., ed. *Acts of the Privy Council, Colonial Series, 1613 - 1750*, Vol. 1 (London: 1908-12), pp. 221-223.

⁶¹ Cited in Morgan, *American Freedom, American Slavery*, p. 128.

horses, and therefore he held it not lawfull to carie any.”⁶² Promotional tracts, such as John Hammonds’ *Leah and Rachel*, advised servants to protect themselves from dishonest masters by taking advantage of the legal protection provided by holding an enforceable contract. Servants should “be sure to have your contract in writing and under hand and seal, for if ye go over upon a promise made to do this or that... it signifies nothing.” Of course the majority of servants did not have written agreements, or if they did keeping such contract intact and legible for several years was difficult at best. Numerous instances of masters cheating a servant of freedom dues or holding a servant longer than his or her original term fill the court records of both colonies. Laws were passed to require differences over contract terms be decided in courts controlled, of course, by the same planter class that would be party to such disputes.⁶³

The servants leaving and traveling to the English colonies of Virginia and Barbados left behind a system that provided little to no opportunity for them. In hopes of finding their fortune they signed away several years of their lives. Unfortunately for those dreams, from the earliest decades of the seventeenth century indenture in the colonies gave almost total control of the laboring class to a gentry class made up of merchants and planters interested only in their own profit. Owners exercised not only legal and economic control of their servants

⁶² McIlwaine, ed. *Minutes of the Council*, pp. 81-82.

⁶³ John Hammond, “Leah and Rachel, or, the Two Fruitfull Sisters Virginia and Maryland,” in *Tracts and other papers relating principally to the origin, settlement, and progress of the colonies in North America*, ed. Peter Force (Washington: P. Force, 1656, 1836), p. 11; Morgan, *American Freedom, American Slavery*, p. 148; Horn, *Adapting to a New World*, pp. 271-272.

but also regulated issues of behavior and personal lives that might interfere with the labor demanded by a master. While servants possessed the right to complain in court of mistreatment, the planter control of the legal system often nullified that right. It became normal both in Virginia and Barbados to view servants as a type of property and to assign the right to control and dispose of that property to their owners. Express challenges to the supply and control of white indentured servants and colonial society caused the gentry in both colonies to continue the trend of viewing people as possessions to its fullest extent in the institution of chattel slavery. It is this transition that will be discussed in the next chapter.

Chapter 3

“Challenges to Control: The Causes for the Transition to Slavery in the Seventeenth Century ”

On May 24, 1678, before dawn, a twenty-eight year old indentured servant, Thomas Hellier, rushed into the bedroom of his master and mistress wielding an axe and violently murdered both. He had been brought to this extreme by the mistreatment of his owners, the Cuthbert Williamsons. Hellier had indentured himself in order to travel to Virginia despite his having “heard so bad a character of that Country, that I dreaded going thither.” On arrival in Virginia, Hellier was sold to Williamson who promised to employ him as a teacher for his children. This assurance proved false and Hellier found himself employed at hard labor in the fields. In addition, Hellier complained of “unworthy Ill-usage which I received daily and hourly from my ill-tongued Mistriss; who would not only rail, swear and curse at me... casting on me continually biting Taunts and bitter Flouts.” Hellier attempted to run away from this tortuous existence but after an absence of three weeks his master “hunting about, and searching to and fro, had discover’d where I was, and so sending a Messenger, fetched [Hellier] back home again.” Finally driven to madness by the abuse, Hellier describes his crime:

Betimes in the Morning before day, I put on my best Cloaths, then got my Ax, and attempted to enter my Master’s Lodging-room... I passed on to my Masters Bed, and struck him with the Ax, and gave him several blows, as near as I could guess upon the Head: I do believe, I had so unhappy an aim with my hand, that I mortally wounded him the first blow. My Mistress in the interim got out of Bed and got hold of a Chair, thinking to defend her self; and when I came toward her, struggled, but I proved to hard for her...

nothing would satisfy but her Life, whom I looked on as my greatest Enemy; so down she went without Mercy

A female servant rushed in to help her master and mistress and met the same fate as her owners. Hellier recounted his tale to an anonymous Anglican minister before his execution for his crimes. In a forty page pamphlet entitled *The Vain Prodigal Life, and Tragical Penitent Death of Thomas Hellier*, the minister recounted Hellier's tale. He went further by warning prospective servants or those "who shall seek to shun shame or other miseries in England... ought to be cautelous and wary... that they be not abused, will they, nill they, to their own destruction."⁶⁴ Hellier's example demonstrates the problems associated with controlling a population of bound white laborers whose existence was difficult at best and in numerous cases bordered on inhumane. The problem was exacerbated by limited opportunities for those servants who survived to become freemen in a society dominated by a planter elite class bent on maintaining their influence and control.

It has been demonstrated in the previous chapters that an immense trade in white indentured servants developed in England to meet, through both legal and illegal means, the demand for labor in Virginia and Barbados by an elite planter class which dominated the political and economic life of the colonies. Servitude furnished the vast majority of laborers in the first decades of both colonies' existence. During those years planters began to view and control laborers as a type of property. This control, however, was incomplete during

⁶⁴ Quotes and Information taken from transcription provided in T. H. Breen, et al., "Motive For Murder: A Servant's Life in Virginia, 1678," *William and Mary Quarterly* XL, no. 1 (1983): 106 - 120.

much of the seventeenth century. Servants retained the right to challenge their masters in court over treatment or length of service. Servants, both white and black, defied the authority of their owners through individual acts of resistance such as running away and doing damage to their owners' economic interests. Ultimately servants, slaves, and freedmen (servants who fulfilled their contracts) acted together on their common interests against the domination of the planter class through organized rebellions. These challenges to the planter elite's control of labor and thereby control of the colony corresponded to changes in the availability of bound laborers, both servants and slaves, and demographic factors which altered the relative economic viability of slavery and servitude. As challenges to planter control of labor and modifications of economic factors affecting labor supply occurred during the seventeenth century, the colonial governments responded incrementally by increasingly attaching racial definitions to slavery thereby reinforcing control of bound labor. This chapter will discuss two interrelated factors developing in both Virginia and Barbados during this period. The first is the influence of challenges to the planters' control of labor by servants, slaves, and freedmen. Implicit in the discussion of these challenges is the cooperation between both white and black laborers and freedmen in their confrontations with the planter elite. This cooperation and the common status shared by servants and slaves in the early decades of both colonies are the second factor to be discussed in this chapter. It will be argued that contribution of racial bias to the development of slavery is of secondary importance to the

influence of the threat to the control of the planter class and economic and demographic factors favoring the transition to slavery from servitude.

The legal right of servants to challenge owners in court for misuse or violations of their contracts was introduced in the previous chapter.⁶⁵ John Hammond, defending Virginia in his 1656 promotional tract *Leah and Rachel*, made much of the legal system's protection of servants' rights in Virginia saying that adequate diet and freedom dues were among those things that "their Indentures (which must inviolably be observed) and the Justice of the Country requires."⁶⁶ Indeed, as early as 1643, legislation gave servants the right to complain of "harsh or unchristianlike usage." Surviving court documents are filled with servants' complaints of mistreatment as has been shown above. The previously cited cases of the Proctors' abuse of Elizabeth Abbot and Elyas Hintone in Virginia and the Barbadian case of the inhumane treatment of John Thomas give evidence for the mixed protection for servants provided by a legal system designed and controlled by the same class of people accused in the cases.⁶⁷

The most common complaint between servant and master seen in court documents revolved around the length of indenture and unpaid freedom dues. The reality was that the control of the legal mechanisms of the colonies rested in large part in the hands of the planter class. For a servant, it was extremely

⁶⁵ See Chapter Two, pp. 45, 49-50.

⁶⁶ John Hammond, "Leah and Rachel, or, the Two Fruitfull Sisters Virginia and Maryland," in *Tracts and other papers relating principally to the origin, settlement, and progress of the colonies in North America*, ed. Peter Force (Washington: P. Force, 1656, 1836), p. 14.

⁶⁷ See Chapter Two, pp. 42-43.

difficult to prove the terms of the original indenture except in the unlikely event that the servant possessed the original indenture document. There were numerous cases of servants complaining of being forced to serve beyond the agreed term. A Maryland servant, Thomas Damer, originally agreed with a London merchant to serve a term of four years. Upon his arrival in Virginia he was sold according to the “Custom of the Country” for a term of seven years. As he was unable to prove the original agreement, the court forced Damer to serve the entire seven years.⁶⁸

Barbadian servants suffered the same type of legal exploitation as their Virginia counterparts in terms of disagreements arising over the terms of their indentures. So prevalent was the problem that in the 1661 legal code entitled “An Act for the Ordaining of Rights between Masters and Servants” the Barbadian Assembly updated an earlier act providing that all “Differences that may arise between Master and Servant concerning the time of their Servitude, shall be heard and determined in the Court.” The law imposed a fine of twenty pounds of sugar on the owner as well as freedom for the servant who could prove his or her case. While confirming the legal rights of servants, the Assembly provided a limiting addition in order to protect the planter and merchant class which made up the vast majority of the Assemblymen. This addition imposed a penalty of corporal punishment and additional service time for those

⁶⁸ Cited in James Horn, *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake* (Chapel Hill: The University of North Carolina Press, 1994), 269-271.

servants found to be malicious (i.e. unable to substantiate their claim) in filing their cases.⁶⁹

However promising the rights assigned to servants by custom and law, the reality came up far short of alleviating the harsh conditions which most servants suffered in their day to day lives. When faced with the idea of tolerating the difficult life of a servant in either Virginia or Barbados, many servants chose to strike back at their owners' economic interests in the easiest way possible; that is by running away and removing themselves from the service of their abusive masters. The court records of both colonies are filled with cases of servants who attempted to run away. Colonial laws dealing with runaway servants provided extra service based on the length of the absence and corporal punishments ranging from whipping to branding. The planter elite, in control of the courts, acted strongly to prevent the threat to their control symbolized by runaways. Captured runaway servants were punished harshly to provide an example for others considering the same course. The case of Christopher Miller has been mentioned previously. When captured, Miller was sentenced to "thirty stripes, and to be burnt on the cheek with the letter R" in order to prevent "a dangerous precedent for the future." In a similar case in 1640, the court ordered the punishment of "thirty stripes apiece ... and one whole year apiece after the time of their service is Expired" for two servants, "Victor, a dutchman [and] a

⁶⁹ J. Nicholson, *An Abridgement of the laws in force and use in Her Majesty's plantations* (London: 1704), p. 262; Hillary McD. Beckles, *White Servitude and Black Slavery in Barbados, 1627 - 1715* (Knoxville: The University of Tennessee Press, 1989), pp. 85-86.

Scotchman called James Gregory” who had been captured after running away from their Virginia master.⁷⁰

Barbadian servants attempted to runaway as well, and the law provided for an extra month of service for every two hours of absence. Unfortunately for servants in Barbados, the small size of the island precluded long term absences since there were very few places to hide for long periods of time. Servants attempted to board ships visiting the colony in a bid to leave the island entirely. Sir Henry Colt commented in 1630 on the fact that his ship, the *Alexander*, was overrun with servants attempting to escape their service. To combat the problem the Barbadian Assembly passed laws requiring bond to be posted by the captains of ships coming to the island as a promise not to help runaway servants flee the island.⁷¹

Servants found to be inciting others to run away were singled out for the harshest punishments as this directly challenged the authority of masters over their property. On October 13th of 1640 the court found two servants, William Wootton and John Bradye, guilty in “a most dangerous conspiracy by attempting to run out of the country and Inticing divers others to be actors in the said conspiracy.” Both were sentenced to be “whipt from the gallows to the Court door.” The court further ordered that “the said Bradye shall be Branded with an Iron in the shoulder, and Wotton in the forehead.” Bradye and Wotton were also

⁷⁰ H. R. McIlwaine, ed. *Minutes of the Council and General Court of Colonial Virginia*, 2nd ed. (Richmond: Virginia State Library, 1979), pp. 466-467.

⁷¹ Nicholson, *An Abridgement of the laws in force and use in Her Majesty's plantations*, pp. 262-265; Richard S. Dunn, *Sugar and Slaves: The Rise of the Planter Class in the English West Indies, 1624 - 1713* (New York: W. W. Norton & Company, 1972), p. 6; Beckles, *White Servitude and Black Slavery in Barbados, 1627 – 1715*, pp. 99-101.

sentenced to seven years of additional service to the colony in addition to their previous indentures. Through their acts, Bradye and Wotton threatened the very foundations of planter society by challenging the property rights held by planters in their laborers.⁷²

Individual resistance was not confined to servants running away from their masters. Some servants were pushed to acts of violence or other actions injurious to their masters' interests. Thomas Hellier's murder of his master and mistress represents an admittedly extreme example of what servants were pushed to by harsh treatment or the low social status assigned them in the colonial community. Records attest to many cases of servants acting to threaten or hurt their owners and the planters reacted harshly to the insolent behavior. In Barbados in 1657 two Irish servants, George Dunohan and Walter Welsh, were accused by their master as having "rebelliously and mutinously behaved themselves towards him their said master and mistress, whereby they have been in fear of their lives by the said servants." Both Dunohan and Welsh were seized by the authority and the Council ordered a punishment of "thirty-one lashes each, soundly laid on their bare back."⁷³ While some servants threatened their masters, others acted directly against the interests of their master. Arson was a favorite tool of vengeful servants. Richard Ligon advised planters in Barbados to treat their servants with charity and care. Those masters unconcerned about their servants often found themselves harmed by the "carelessness and slothfulness of retchless servants; sometimes by laying fire so negligently, as

⁷² McIlwaine, ed. *Minutes of the Council and General Court of Colonial Virginia*, p. 467.

⁷³ Cited in Beckles, *White Servitude and Black Slavery in Barbados*, p. 109.

whole lands of Canes and Houses too, are burnt down and consumed, to the utter ruine... of their Masters.”⁷⁴

Virginia servants also made the most of opportunities to strike back at their masters wherever presented. In 1640, the General Court found that William Beard’s servant, Thomas Bates, had “used the company of the said Beard’s wife in the night scandalously and unlawfully.” For this affront to his masters’ honor and public morality in general, Bates was sentenced to “thirty stripes at the whipping post.” Admittedly, it is difficult to assess the motivations of every individual act committed by servants against their masters. Nevertheless, the desire to strike back against the people who held control of society and their individual freedoms certainly provoked many acts such as those referenced here.⁷⁵ Hellier’s example of violence is not unique. In March of 1658, the York county court executed Huntingdon Ayres for the crime of murder. Ayers crime is strikingly similar to that Hellier’s twenty years later. Ayers’ master and mistress were found “knocked in the head lying in yere Bed in the dead of the night with a lathing Hammer.” William Drummond, then the high sheriff of York County and later executed himself for his role in Bacon’s Rebellion, presented a bill of 1,530 pounds of tobacco for the trial and execution of the murderous servant.⁷⁶

Numerous acts of individual resistance allowed some servants to strike back against those who controlled the social and political institutions in Virginia and Barbados and were common throughout the seventeenth century. There

⁷⁴ Richard Ligon, *A True and Exact History of the Island of Barbados* (London: 1657), p. 45.

⁷⁵ McIlwaine, ed. *Minutes of the Council and General Court of Colonial Virginia*, p. 475.

⁷⁶ “Proceedings in York County Court”, *William and Mary College Quarterly Historical Magazine*, Vol. 11, No. 1. (Jul., 1902), pp. 37-38.

were, however, significant cases in which servants banded together in groups, both large and small, and openly rebelled against the government and elite planters in both colonies. In 1661 in York County, Virginia, a male servant named William Clutton was brought before the court for agitating his fellow servants to rebel against the harsh treatment of their masters. Testimony accused Clutton of “being... amongst the servants [and] talking of their hard usage, & that they had nothing but corne & water.” The main source of discontent among Clutton’s fellow servants was their belief that the law required their being provided “meat three times a week” as well as bread and cheese. In response to Clutton’s fomentation of a rebellion it was decided that “they would get forty of them togeyer, & get Armes & he would be the first & have them cry as they went along ‘who would be for Liberty, and free from bondage.’” Not content with merely bringing their complaint to the governor, the would-be rebels declared that they would “kill those that made any opposition, & that they would either be free or dye for it.” One of the servants brought the incipient rebellion to the attention of the local magistrate, Thomas Beale, who ordered the arrest of Clutton and several of his cohorts. The court ordered Clutton, as the instigator of the plot, executed while fining and ordering extra service for the other participants.⁷⁷

In the colony of Barbados, the frustration of a servant’s existence caused many to attempt the same type of rebellious activities as those seen in Virginia. On his visit to the island in 1634, Father John White recorded the defeat of an

⁷⁷ Ibid., pp. 34-36.

organized conspiracy of indentured servants that intended to kill the planters and capture several ships to flee the island. It took an organized militia of 800 men to put down the rebellion, and the leaders of the servant plot were executed.⁷⁸ In 1647 Richard Ligon reported that the planters' houses were built "in the manner of Fortifications, and have Lines, Bulwarks, and Bastions to defend themselves." Ligon described defenses designed around cisterns to provide a source of water to drink in case of a protracted siege as well as providing water "to throw down... scalding hot; which is as good a defense against their [servants and slaves] underminings, as any other weapons." Despite the threat still posed to the island by European rivals, the defenses were not intended to meet a Spanish, Dutch, or French attack. Rather, Ligon noted that the fortified houses were built "in case there should be any uproar or commotion in the Island, either by the Christian servants, or Negro slaves." Ligon claimed that rebellion was everpresent in the minds of the planters. The year before his arrival, in 1647, another rebellion of servants occurred because, in Ligon's words, "their sufferings being grown to a great height... at the last, some amongst them, whose spirits were not able to endure such slavery, resolved to break through it, or dye in the act."⁷⁹

Perhaps the greatest indication of the tension between classes is seen in the reaction by servants and slaves to Nathaniel Bacon's challenge to the entrenched power of the planter elite represented by the royal governor of Virginia, William Berkley in 1675-76. Tensions among the various factions in Virginia society reached a breaking point by this period. A drop in mortality in the

⁷⁸ Beckles, *White Servitude and Black Slavery in Barbados*, p. 110.

⁷⁹ Ligon, *A True and Exact History of the Island of Barbados*, pp. 29, 45.

colony after the 1640s resulted in growing numbers of servants surviving to reach their freedom. Economic opportunities in the colony, however, increasingly became limited by the planters' control over the governmental and economic infrastructure. Freed servants found themselves forced into one of two equally unsavory choices. First, they could move westward to find available land and face the threat of Indian attack and limited access to the main waterways that represented the easiest and cheapest transportation needed by all planters. The second option was to enter into a form of economic bondage as tenant farmers of the larger planters. The disappointment and frustrations of freed servants at facing such limited and difficult prospects after leaving the harsh conditions of servitude grew as the proportion of freemen, servants, and an increasing number of slaves rose in the overall population. It was this tension that the events of Bacon's Rebellion sparked into open rebellion.

A full recounting of the events of Bacon's Rebellion is unnecessary to the purpose of this analysis but a few main themes help to illustrate the relevance to this discussion.⁸⁰ Bacon, a wealthy young planter newly come to Virginia from England, found his opportunities limited by the control over the governmental and economic infrastructure of the colony by the elite planters of Virginia. While he had access to the government as a member of Governor Berkley's Council, he viewed the majority of the planter elite as inferiors. A relatively minor incident on the Maryland border between settlers and a Native American tribe led Bacon to organize a retaliatory military expedition against the orders of Governor Berkley.

⁸⁰ For a full account of Bacon's Rebellion see Morgan, *American Slavery, American Freedom*, pp. 250-270.

Berkley declared Bacon and his followers rebels and in the resulting conflict Bacon captured and burned the colonial capital at Jamestown, and his followers ransacked, looted, and burned numerous plantations belonging to the supporters of Governor Berkley. For his part, Bacon's motivations centered on exterminating what he termed "the protected and Darling Indians" in response to Berkley's refusal to allow the extermination of all Indians in the colony. However, Bacon's resentment against the large and powerful planters in the colony became a rallying cry for freemen, servants, and slaves who flocked to his cause. Bacon pointed the blame for the violence at the large planters even though he himself and several of his followers came from that same group. In his "Manifesto" Bacon stated that:

Trueth be bold and all the world know the real Foundations of pretended guilt, Wee appeale to the Country itselwe what and of what nature their Oppression have bin or by what Caball and mistery the designes of many of those whom wee call great men... those men in Authority and Favour to whose hands the dispensation of the Countries wealth has been committed.⁸¹

Interpretations of Bacon's Rebellion range from seeing it as an inraelite struggle between different groups of the gentry class to a popular revolt in response to the exploitation of servants, slaves, and poor planters. Regardless of the interpretation to which one ascribes, it is unarguable that servants, freemen, and many slaves flocked to support Bacon despite Berkley's offer of freedom to any servant who supported his cause. Members of the poorest sections of society formed

⁸¹ Bacon's "Manifesto" in Warren M. Billings, ed. *Old Dominion in the Seventeenth Century: A Documentary History of Virginia, 1606 - 1689* (Chapel Hill: The University of North Carolina Press, 1975), pp. 277-279.

the majority of Bacon's army, especially in the later stages of the rebellion. When the insurrection was quelled by the arrival of an English fleet, a group of eighty slaves and twenty servants refused to surrender until their capture and return to their individual owners. Bacon's Rebellion represents a culmination of the resentment and frustration of the members of the laboring class and provided an impetus to the planter elite to move to a system which more fully protected their control over labor in a plantation society.⁸²

As the incidences of resistance increased in both colonies and growing numbers of freemen in Virginia exacerbated the problem, there was a simultaneous decrease in the supply and quality of servants. The resulting restriction in the numbers of servants available to the planter class resulted in a sharp increase in the relative price of servants as compared to slaves. During the decade after the restoration of the Stuart monarchy an antiemigration movement developed in England supported by prominent mercantile theorists such as Sir William Petty and Richard Coke. Petty argued against previous views held by men such as Richard Hakluyt and others that an outlet was needed for the large numbers of homeless and destitute which had spurred large numbers of servants to leave England for the colonies in the first half of the seventeenth century. Petty argued that the power of any nation depended in large part on the

⁸² Morgan, *American Slavery, American Freedom*, pp. 267-270; Horn, *Adapting to a New World*, pp. 372-376.

size of its population. Roger Coke agreed with this view stating that “a ruinous number of men daily flock to the plantations... to the weakening of the nation.” These sentiments occurred at the same time as an improvement in environmental and economic conditions in England combined with the reputation for harsh conditions experienced by servants in the colonies provided less motivation for individuals to choose to indenture themselves for long periods of time.⁸³

In response to the drop in supply in both colonies, the prices of servants rose dramatically reflecting the increasing scarcity of white laborers in both colonies. In Virginia it is estimated that the average price of a new servant with five years to serve rose from 600 pounds of tobacco in the 1630s to 1,000 pounds or more in the 1650s. Barbadian planters experienced a similar although more dramatic inflation of servant prices during the period from the 1630s to the end of the century. In the mid-1630s the average price for a male servant ranged from £6.10 to £7. By the mid-1650s this average price had increased to £10 to £14 a head. Planters complained to the Barbadian Assembly in 1661 that the prices for servants had doubled in the past fifteen years and by the end of the seventeenth century the price for a skilled servant could be anywhere from £25 to £30 per person.⁸⁴ Supply and price problems increased the problems associated with controlling a labor source made

⁸³ Beckles, *White Servitude and Black Slavery in Barbados*, pp. 122-123; Morgan, *American Slavery, American Freedom*, p. 299; Horn, *Adapting to a New World*, pp. 52-69.

⁸⁴ Abbot Emerson Smith, *Colonists in Bondage: White Servitude and Convict Labor in America, 1607 - 1776* (Chapel Hill: The University of North Carolina Press, 1947), pp. 32, 38, 66, 140;

up of primarily bound white laborers. Unable to reconcile the growing problems associated with servitude, first Barbados and later Virginia moved to societies that could provide what has been termed “the unlimited exploitation of labor.” The planters found this source of labor in the form of African slaves.⁸⁵

The transition from servitude to slavery did not occur overnight in either Barbados, where it occurred first, or in Virginia, where it followed a few decades later. In both colonies, however, planters responded to the challenges to their control over the laboring class and the inadequacy of servitude to meet the almost insatiable need for labor as they occurred. The presence of blacks in Virginia can be documented at least as early as 1619 when John Rolfe recorded the visit of “a dutch man of warre that sold us twenty Negars.”⁸⁶ The expedition that first settled the island of Barbados included a group of slaves captured from a Portuguese ship. Certainly, African slaves existed in large numbers in both Spanish and Portuguese colonies. This provided an example of slavery of which the English were well aware. This example and the early presence of blacks clearly argue that racial differences among laborers were present from the beginning in both English colonies. Historian Winthrop Jordan demonstrated that the English had distinct preconceived notions of black inferiority. Jordan argued that “certain strands of thought... in Elizabethan England had intertwined with

Beckles, *White Servitude and Black Slavery in Barbados*, p. 69; Morgan, *American Slavery, American Freedom*, p. 176.

⁸⁵ Morgan, *American Slavery, American Freedom*, p. 292.

⁸⁶ “A Relation from Master John Rolfe” in Billings, ed. *Old Dominion in the Seventeenth Century*, p. 155; Beckles, *White Servitude and Black Slavery in Barbados*, p. 31.

reports about the Spanish and Portuguese to engender a willingness... to treat [blacks] as suitable for private exploitations.” Jordan contends that racial motivations provided the justification for the evolution of property rights in people through the institution of slavery. He clearly states in the example of Barbados that African chattel slavery developed “without leaving any permanent trace of hesitation or misgivings.”⁸⁷

While he did not apply this same stringency to Virginia, Jordan misses the complexity of the motivations and factors impacting the transition from servitude to slavery. Despite the early exposure to slaves and the feelings of cultural superiority of the English at the time, chattel slavery in Barbados and then in Virginia developed only after both colonies had evolved economic systems based on property rights in white servants providing the example from which slavery could evolve. For the first three decades in Barbados and for almost fifty years in Virginia, blacks and whites shared a common status as bound laborers under the control of the planter class. As such, through the early years, both blacks and whites experienced similar treatment and performed similar labors in a common environment. They cooperated in acts of resistance and rebellion and when found guilty of these acts suffered similar punishments. Black laborers availed themselves of the legal system to protect rights similar to those enjoyed by white servants. Finally, there were free blacks who participated to some extent in the economic, political, and legal mechanisms of the colonies. While not discounting the existence of racial bias in the formation of slavery, these examples

⁸⁷ Winthrop D. Jordan, *White Over Black: American Attitudes Towards the Negro, 1550 - 1812* (New York: W. W. Norton & Company, 1968, 1979), pp. 66, 98.

demonstrate the validity of Edmund Morgan's argument that colonists "during these years were ready to think of Negroes as members or potential members of the community on the same terms as other men."⁸⁸

The treatment of servant and slaves shared many similarities. They shared similar quarters, diet, and labor in the earliest decades of both colonies. As late as 1667 John Scott recorded in his "Description of Barbados" that large gangs of servants and slaves worked side by side in the cane fields both without shirt or shoes.⁸⁹ Examples of these similarities are also seen in the type of punishments prescribed to servants and slaves for transgressions against the planter elite. In Virginia in 1640, two white and one black servant of Hugh Gwyn were captured after running away to Maryland. All three were sentenced to "whipping and to have thirty stripes apiece." In this case, however, is seen the beginning of the most significant difference between servants and slaves. The two white servants were sentenced to one additional year of service but the Negro servant, John Punch, was sentenced to "serve his said master... for the time of his natural life." That same year in Virginia, the Assembly passed a law establishing the first legal distinction between black and white labors ordering "All persons except negroes to be provided with arms and ammunition or be fined."⁹⁰ The beginnings of a distinction between black and white laborers is significant and demonstrates the emergence of a racial bias in the evolution of slavery.

⁸⁸ Morgan, *American Slavery, American Freedom*, p. 155.

⁸⁹ Cited in Beckles, *White Servitude and Black Slavery in Barbados*, p. 31.

⁹⁰ McIlwaine, ed. *Minutes of the Council and General Court of Colonial Virginia*, p. 466; William Waller Henings, ed. *The Statutes at Large: being a collection of all the laws of Virginia, from the first session of the legislature, in the year 1619* (New York: R. & W. & G. Bartow, 1819 - 1923), p. 229.

However, the slow emergence of legal distinctions between black and white laborers is evident. It was not until the 1660s that both the Virginia and Barbadian Assemblies passed laws discouraging servants from running away with slaves by providing additional punishments in the form of additional service. Even more significant in the case of Virginia, is the fact that it was not until 1662 that the status of children was tied to the legal status of their mother making slavery hereditary. Hence, racial bias attached inexorably to slavery was slow to develop and cannot have been the primary motivating factor behind slavery.⁹¹

Faced with similar living conditions and treatment, servant and slaves joined together not only in smaller acts of resistance, such as running away, but also in larger groups as active members of open rebellions. Bacon's Rebellion, discussed above, is only one example of a revolt in which servants and slaves cooperated against the interests of the planter elite. In Barbados in 1692, decades after the transition to slavery, fears of servant-slave cooperation in rebellious activities were still a very real concern. In both 1686 and 1692 the colonial government discovered active conspiracies between several Irish servants and slaves to overthrow the colonial government and kill the planters to seize their land.⁹²

Another indication of the similarities between black and white laborers before the evolution of chattel slavery in both colonies was the ability of blacks to avail themselves of the legal system to protect their rights. Black laborers

⁹¹ Henings, ed. *The Statutes at Large*, pp. 116-117, 170.

⁹² Beckles, *White Servitude and Black Slavery in Barbados*, p. 113.

successfully challenged white planters in the courts for freedom or for economic rights assigned to them. In 1673 in Virginia, Andrew Moore, “a Servant Negro to Mr. George Light” successfully sued for his freedom from his master in court claiming that the agreement in his transportation to the colony had been only for five years. In another case from Virginia in 1641, John Graweere, “a negro servant unto William Evans” successfully sued his master for privileges previously agreed to that allowed Graweere to “keep hogs and make the best benefit thereof to himself.” In addition, Graweere’s child, which Evans had claimed as a servant was freed when it was found that Graweere had purchased the child's freedom.⁹³ In these cases and many others, black servants challenged their masters successfully and demonstrated that while racial bias did exist it did not remove from them entirely the rights and humanity of blacks anymore than the did property rights in white servants in the formative years of both colonies.

A final indication of the tenuous nature of race relations before chattel slavery became entrenched in Barbados and Virginia is the presence of many free blacks who owned land or had valuable occupations, possessed slaves and servants, and exercised relative equality with white planters in legal and economic terms. Up until 1700 in Virginia, there were many recorded cases of free blacks like Anthony Johnson, who established himself in the Eastern Shore region and acquired a relatively large plantation and several servants and slaves. Johnson exercised some influence in his local community and in certain cases

⁹³ McIlwaine, ed. *Minutes of the Council and General Court of Colonial Virginia*, p. 354,477.

successfully sued white planters. In one case, Johnson won back a black slave from a white planter, Robert Parker, who had enticed the slave to run away from Johnson. In these cases the right to property outweighed racial bias among the planter class. The Johnson family maintained its position in the Eastern Shore community on the Pungoteague Creek until moving north at the end of the 17th century. Likewise in Barbados, some free blacks, while not among the planter elite, operated as tenant farmers or artisans and competed openly with white freemen in mercantile ventures.⁹⁴

It is evident from the examples referenced above that, to a certain extent, black laborers operated on a similar level as white during the earliest decades of the existence of both Virginia and Barbados. The planter elite of both colonies developed and established property rights in laborers both white and black. These rights and the control over labor and thus the economic opportunity that they represented caused resentment and frustration on the part of these laborers and freemen who identified with the servant status they had survived. Acts of individual resistance and larger rebellions coupled with the inability of white servants to meet the increasing demand for bound labor provided the motivation to import larger numbers of black slaves. Hence, the economic and social necessity to secure control over laborers as well as the need to supply adequate labor to the colonies caused the evolution of slavery. These factors were more

⁹⁴ T. H. Breen and Stephen Innes, *"Myne Owne Ground": Race & Freedom on Virginia's Eastern Shore, 1640-1676* (Oxford: Oxford University Press, 1980), pp. 7-18; Beckles, *White Servitude and Black Slavery in Barbados*, p. 148.

significant to this transition than the preconceptions of racial bias existing in colonial society at that time.

Epilogue

By the end of the seventeenth century, slavery in both Barbados and Virginia was firmly entrenched. The institution of servitude had by this point been relegated to a secondary role when compared to the large numbers of African slaves being imported to meet the need for labor. After 1700, many indentured servants continued to exchange their labor for passage to the colonies and filled skilled roles in the economies of both plantation societies, but most chose other destinations less reliant on slave labor. The minor role played by indenture in Virginia and Barbados in the eighteenth century belies the crucial part played by servitude in the seventeenth century. Servitude represented an opportunity for the multitudes of poor and destitute persons in England who lacked the wherewithal to pay for their journey to the New World. Indentured servants represented the large majority of white immigrants to the English colonies during most of the seventeenth century. However, servitude in the colonies developed into a system dominated by a small minority of large planters in both colonies who gained control over the laboring class through domination of the economic and political institutions. A lucrative trade in servants developed between merchants and planters who viewed servants as any other commodity to be bought, sold, or traded for profit. The social and economic systems in Virginia and Barbados evolved around the property rights assigned to the planter class over its laborers. These rights and the dominance of the large planters was the

basis of social order in these colonies and formed distinct divisions in society based on class and control between planter and laborer. Abuse and mistreatment of servants was common, and during the early decades of the seventeenth century, laborers, both black and white, shared much in common despite racial divides. Acts of resistance and rebellion on the part of laborers and a decline in the availability of white servants combined to threaten the planters' control. These problems motivated the planters of both colonies to make the transition to slavery in order to protect their economic and social authority. The early development of indenture as a system providing property rights in servants provided an early model for the institution of slavery in the form that it developed in the two colonies. The incomplete nature of the planters' control over servants also provided the motivations to expand these rights to allow for a total domination of the individual. However, it was impossible to gain this total control over white servants. Only the move to slavery could accomplish this, and only by creating racial distinctions between white and black laborers could it be justified.

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History Day Camp Instructor
Smithfield Plantation
Association for the Preservation of Virginia Antiquities
Summer, 1999

Education

B.S. in History
Tennessee Technological University - Cookeville, Tennessee, 1997.

M.A. in History
Virginia Polytechnic Institute and State University - Blacksburg, Virginia, 2000.

Currently working towards a Ph. D. in History at:
The College of William and Mary

Awards

Tennessee Tech Department of History Civil War History Award, 1996

Grants Awarded

Curtis Research Award, Virginia Tech Department of History, 1999

Papers Presented

"The Roanoke Colony" presented at the East Tennessee State History Conference, 1997

"Sir Henry Sidney: A Colonial Model Established" presented at the Virginia Tech 'Innovative Perspectives in History' Conference, 1999

Business Experience

1992 to 1996: Associate Manager, Cracker Barrel Old Country Store, Inc.

1989 to 1992: Restaurant Operations Manager, Waffle House, Inc.

1986 to 1988: Emergency Room, Henry General Hospital, Stockbridge, Georgia