

The Evolution of Slavery in Colonial Virginia

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Africans also made a significant contribution to American colonial life. Early on, as a class, they were generally treated as indentured servants, but over time their status in Colonial America evolved into that of property. While some Africans were brought directly to the colonies as victims of the "*slave trade*," the institution of slavery did not just happen overnight, but was a process that evolved over many years. Servitude was a common practice in England when the first 104 English settlers reached Virginia in 1607. One of the more common types of English servitude was that of apprenticeship. Apprenticeship was an arrangement in which a young man contracted with a craftsman, through an indenture, for a specific period of service. During this time, the apprentice was supported financially while being trained in a skilled trade. Combined with the deplorable economic, political, and religious conditions in England, this type of indentured servitude came to be the basis for supplying the needed labor for the development of the Colony. Over time, as labor intensive tobacco plantations became so financially profitable, indentured servitude developed into a simple means of supplying agricultural laborers, not as a means intended to teach a craft.¹

¹Mcllwaine, H.R., ed. Minutes of the Council and General Court of Colonial Virginia, 1622-1632, 1670-1676, With Notes and Excerpts from Original Council and General Court Records, Now Lost, Richmond, Virginia, 1924, Page 117.

The seed of slavery likely took root in the practice of indentured servitude in early Colonial Virginia. Early statutes in the Colony were used to transform the relationship of apprenticeship into that of indentured servitude, thus permitting English servants to be bought and sold freely, used as gambling stakes, transferred by will, and even taken by the Sheriff in satisfaction of the master's debt. Although it was common for a servant in England to have his services transferred to another master sometime during his term of servitude, the idea of selling servants en masse, was shocking to some early 17th Century Virginians. Captain John Smith denounced the practice as the "*pride, covetousness, extortion, and oppression*" of men who sold "*even men, women, and children for who will give most.*"²

In 1619, John Rolfe wrote that the "*buying and selling [of] men and boies*" was "*held in England a thing most intolerable*"³ In 1625, Thomas Weston even refused to carry servants in his ship from Canada to Virginia because "*servants were sold heere upp and down like horses, and therefore he held it not unlawful to carie any*"⁴ Nonetheless, poor English men and women steadily supplied the demand for labor in Virginia's growing tobacco economy. Many saw the exchange of a few years of labor for transportation to the New World to escape the dismal living conditions in England as a good deal.

²Arber, Edward, ed. Travel and Works of Captain John Smith, President of Virginia, and Admiral of New England, 1580-1631, Edinburg: John Grant, 1910, Page 618

³ Arber, Edward, ed. Smith's Travel and Works, Page 542.

⁴McIlwaine, H.R., ed. Minutes of the Council, Page 82.

There is little evidence to clearly show the development of slavery from indentured servitude during the first half of the 17th century. There were, however, many important decisions and events that allowed the English to adapt their civil laws to accommodate slavery⁵ According to sporadic records, the first Africans recorded in Virginia arrived on a Dutch ship off Point Comfort (today Hampton, Virginia), in August, 1619. Two officials from Jamestown, Governor George Yeardley and cape merchant, Abraham Piersey, purchased them in exchange for needed food⁶ Beyond this, there is very little information which would tell us who these Africans were, or how they were treated. However, a few years later, the census of 1624/25, lists all twenty three (23) black residents of Virginia as servants, including those of Yeardley and Peirse. The consensus of opinion among historians seems to be that the early black immigrants to Virginia were held as indentured servants, not as slaves.

Court records give historians an interesting glimpse into the life of the black indentured servant by the middle of the 17th century in Virginia. There were a few, like Anthony Johnson, who were not only given their freedom, but eventually became landowners, and owned servants of their own. There are several cases, some dating as late as 1680, where black servants brought their masters to court and won suits that limited their indentures, or in a few cases, even won their freedom. From these cases, historians have concluded that lifetime servitude began for some blacks, by the middle of the 17th

⁵Billings, Warren, "The Laws of Servants and Slaves in 17th Century Virginia." Magazine of History and Biography, Vol. 99, January 1991, Page 54-55.

⁶Kingsbury, Susan Myra, A.M. Ph.D., ed. Records of the Virginia Company of London, Volume 111, Page 243.

century. The earliest recorded case of enslavement is July, 1640, when three (3) indentured servants, two (2) of which were white, and one black, were tried by the General Court for running away. The white servants were punished by adding four (4) years to their terms, while the black servant (John Punch) was to serve his master for the rest of his life⁷ in another case in 1654, John Casor, a black servant, filed suit against his master Anthony Johnson, a free black landowner. Casor claimed however, that he had "*ye Negro for his life*" and won the case, thus extending Casor's term to a life indenture.⁸

Historians agree that slavery in Virginia began through usage and custom, as one by one, the terms of black indentured servants were extended to life. By the 1660s, the custom of slavery was recognized by law through statutes passed by the General Assembly at Jamestown. The laws that developed over the following three (3) decades reveal how it became increasingly difficult for black servants or slaves to gain their freedom. By 1683, eighteen (18) percent of Virginia's bondsmen were slaves, while in just twenty five (25) years later; this proportion had increased to forty (40) percent.⁹ By the close of the 17th century, slavery was the norm for all Africans coming to the tobacco colony of Virginia. With its roots planted at Jamestown, slavery in Virginia began gradually through practice and custom, and finally became established through law.

⁷Decisions of the General Court, Virginia Magazine of History and Biography, Vol. IV, January 1898, Page 236.

⁸Foner, Philip S., History of Black Americans: From Africa to the Emergence of the Cotton Kingdom, Greenwood Press, Noewich, Connecticut, 1975, Page 191.

⁹Toppin, Edgar A., A Biographical History of Blacks in America Since 1528, David McKay Company 1969, New York, NY, Page 41.

Every group in colonial life regarded the black man inferior. Slaves were taught only the simpler skills in farming, building, and manufacturing. As the colonies grew, the demand for slaves also grew. Many were captured by enemy tribes in central and western Africa, forced to march long distances over land, and sold to European slave traders at African ports. To prevent escape, they usually were shackled with iron collars, and were linked together by chains, and many did not survive the trip to the African seaport. But, for those who did, European slave buyers would only select the strongest and healthiest. Upon being selected, the slaves were branded and packed into slave ships for transport to the New World. This journey came to be known as the *Middle Passage*, and would last for weeks. Conditions were so terrible that some killed themselves by jumping overboard, while others died of disease, and spoiled food. Up to one-third of the slaves did not survive the trip to the New World. The rate of death aboard the slave ships was so great, that sharks would trail along behind the ships. Through all of this, the slave traders and colonial shipping companies (many from northern states) made enormous profits. Upon arrival in the New World, the slaves were first taken to the West Indies where they were "seasoned" or broken in by overseers before they were imported into the colonies.

Eighteenth century slavery was not confined to the South. By the 1770s about 12,000 slaves lived in New England. New England farms were usually small, and would not economically support as many slaves as would the larger plantations of the South. Most of the slaves living in New England worked as household servants for wealthy families, as well as farm laborers, lumberjacks, carpenters, barrel makers, blacksmiths etc. Contrary to their brethren in the South, slaves in New England held some political rights

they could buy and own property, and they had the right of trial by jury. They could attend church as long as they sat in slave pews, but they could not become church members since membership included political rights, i.e., the right to vote, hold office etc. As a matter of practice, New Englanders regarded their slaves as adopted children, and in rare instances they were taught to read and write, even though it was against the law in most states to do so. Even though, the slaves in New England had it much better than their counterparts in the South, they very much resented their condition.

In the Middle Colonies, i.e., New York, Pennsylvania, Delaware, New Jersey etc., slavery was not a popular practice. The relatively small number of slaves in the Middle Colonies might have reached 35,000 at most. In New York, household slaves were strictly separated from whites, where reports of violence between white owners and slaves became common. In Pennsylvania, and parts of New Jersey, Quakers were very influential, and challenged the morality of slave labor as well as its usefulness, and began to speak out against it.

In the Southern colonies, slavery was a completely different matter. Of the 300,000 to 400,000 slaves who lived in North America in 1765, the vast majority lived in the Southern colonies. They labored in an almost unbelievable existence on tobacco, sugar and rice plantations making an enormous contribution to the development of the South. Initially, Southern planters tried to enslave the Indians but it didn't work; then they tried white indentured servants, but they were hard to get and keep. Black slaves were a more dependable source of labor, and thus, the demand which supported the slave trade was born. Throughout 1600s and 1700 slavery grew in the southern colonies.

As the proportion of black slaves increased to white settlers in the colonies, whites became nervous. There was a growing fear that this large number of black slaves could undermine the underlying principle of "*white supremacy*." In response to this threat, the Southern State Legislatures passed a series of laws known as slave codes. These codes had dual purposes. The first was to safeguard the slave owner's investment. The planters had a significant investment in their slaves, and it was realized that to educate them, or to allow them access to Christianity, etc., would only serve to raise expectations and eventually promote rebellion. The second purpose of the slave codes was to protect slave owners against the wrath of the rebellious slaves. To prevent revolts, the codes provided that no white person could teach a slave to read or write, or introduce the slave to Christianity. Not surprisingly, the rigid enforcement of the slave codes often brought about resistance among the slaves. This resistance would often take the form of work slow downs or feigning illness, but sometimes slaves would strike back, or even run away. Unfortunately, due to the color of their skin, a runaway slave would not get far. Most slave-owners were paranoid, and as their paranoia grew, the punishments for all crimes became extremely cruel. Under slave codes, punishment was even crueler. Minor crimes would often result in beatings, while major crimes would likely result in death. Often, slave-owners kept control of slaves by the threat of selling a family member should valued slave fall into disfavor.

A few freed slaves lived in every colony. Descendants of early indentured servants often inherited their freedom. As a matter of law, children of a white mother regardless of the father's race were free. Occasionally, masters would free a slave for years of faithful service. Most free blacks earned living as skilled workers, some owned small farms and

some even owned businesses. Although they were considered free, no black could vote in any colony, except for a short period of time in North Carolina. In short, blacks were regarded as a class apart whether slave or free.