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# BOUND IN BERMUDA AND VIRGINIA: THE FIRST CENTURY OF SLAVE LAWS AND CUSTOMS

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BOUND IN BERMUDA AND VIRGINIA: THE FIRST  
CENTURY OF SLAVE LAWS AND CUSTOMS

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A Thesis

Presented to

The Graduate Faculty

Central Washington University

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In Partial Fulfillment

of the Requirement for the Degree

Master of Arts

History

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by

Max Loren Tiffany

February 2017

CENTRAL WASHINGTON UNIVERSITY

Graduate Studies

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## ABSTRACT

### BOUND IN BERMUDA AND VIRGINIA: THE FIRST CENTURY OF SLAVE LAW AND CUSTOMS

by

Max Loren Tiffany

February 2017

This study looks at the differing early slave societies of colonial Virginia and Bermuda. Specifically, this study looks at how the first century of slave laws and customs in the respective colonies varied so greatly. Relatively speaking, slave laws and customs in colonial Virginia were harsh when compared to the laws and customs of colonial Bermuda. This difference was due to the difference in the type of labor slaves performed and in landowning patterns in the respective colonies during the seventeenth century. In Virginia, slaves labored under a harsh regime on plantations, while Bermudian slaves worked often in a maritime economy. Furthermore, in Virginia, land owning patterns differed greatly; Virginian landlords typically stayed in Virginia while Bermudian landlords were often absent from their landholdings. These differences that led to a lax system in Bermuda changed by the 1720s when slaves were deemed to be too dangerous. This study has used a great deal of government documents, court records, diaries, and collections of letters from colonial Bermuda and Virginia. Using these sources, this study suggests what aspects within the respective colonies led to the harsh customs and laws in Virginia and the relatively lax system in Bermuda.

## TABLE OF CONTENTS

Chapter		Page
I	INTRODUCTION .....	1
II	TOBACCO PLANTATIONS OR MARITIME ECONOMY.....	14
III	COLONIAL LANDLORDS: VIRGINIA RESIDENCY AND BERMUDA ABSENTEEISM .....	32
IV	POST 1720: THE STANDARDIZATION OF BERMUDIAN SLAVE LAW.....	52
	BIBLIOGRAPHY.....	68

CHAPTER I  
INTRODUCTION  
BERMUDA AND VIRGINIA: SISTER COLONIES

The Somers Isles, containing the large island of Bermuda, is a small archipelago located about 700 miles off the coast of Virginia. While the English colonies of Virginia and Bermuda were separated by hundreds of miles of ocean, they shared much in common. Both colonized by the English within just a few years of each other in the early seventeenth century, Bermuda and Virginia were quick to incorporate the institution of slavery in their colonies. However, by analyzing the records of the first century of slave laws and customs in the two colonies, it is clear they were quite different. The following chapters argue that slave laws and customs in Bermuda were relatively lax compared to Virginia's due to the difference in the type of labor performed by slaves and the landholding patterns common in the respective colonies.

Bermuda is often erroneously thought to be part of the Caribbean; however, it lies about 700 miles north of the Caribbean islands. Looking at Bermuda on a map one may think that it had a long history of isolation. Indeed, Bermuda is one of the most geographically isolated places in the world and was uninhabited upon European discovery, except by birds and wild hogs.<sup>1</sup> As it turned out, Bermuda became very well-connected to events in the wider Atlantic World. By the mid-seventeenth century, due to its central location in the Atlantic, Bermuda became connected to the Caribbean, England, America's mainland, and the rest of the Atlantic World. It became a hub for

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<sup>1</sup> Wesley Frank Craven, "An Introduction to the History of Bermuda," *The William and Mary Quarterly*, Vol 17 No 2, (Apr., 1937), 183.

shipping and commerce for the British empire. Bermuda was, according to historian Michael Jarvis, “In the eye of all trade.”<sup>2</sup>

Bermuda had close ties throughout the British Atlantic World, particularly Virginia. In fact, the founding of Bermuda by the British was an accident, initiated by members of the Virginia Company. In 1609, a fleet of ships left England under the Company with the purpose of supplying the struggling Jamestown colony. As the result of a storm, the *Sea Venture* was pushed off course. The vessel wrecked off the coast of Bermuda. All 150 passengers were able to make it safely to land.<sup>3</sup> What the survivors found on Bermuda was the aforementioned wild hogs, and birds, not to mention fish, and abundant wild fruit. The survivors were reluctant to continue to Jamestown where they heard of Indian massacres, starvation, and even cannibalism. In contrast, Bermuda seemed a paradise.

In just a few years, Bermuda became a popular destination for English settlers. Word spread and for a short time Bermuda became a more popular destination for settlers than Virginia. In 1615, the English settler population of colonial Virginia was 350, whereas Bermuda had just over 600 inhabitants.<sup>4</sup> Due to rising popularity, Bermuda was granted its own charter in 1615, creating the Bermuda Company. While Bermuda was no longer under the direct rule of the Virginia Company, the connection between the two

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<sup>2</sup> Michael J. Jarvis, *In the Eye of All Trade: Bermuda, Bermudians, and the Maritime Atlantic World, 1680-1783*. (The University of North Carolina Press, 2010), 3.

<sup>3</sup> Virginia Bernhard, *Slaves and Slaveholders in Bermuda, 1616-1782*, (Columbia: University of Missouri Press, 1999), 2.

<sup>4</sup> Craven, “An Introduction to the History of Bermuda,” 189.

colonies remained strong. According to historian Wesley Frank Craven, Bermuda was “comprised of the most alert and substantial of the Virginia adventurers.”<sup>5</sup>

Bermuda was the first English colony in the New World to adopt African slavery. Records indicate this occurred as early as 1616.<sup>6</sup> Three years later, the first mention of African slaves appears in Virginia’s records when John Smith mentions in his travel account of the “dutch man of warre that sold us twenty Negars” in August of 1619.<sup>7</sup> Perhaps it should have come to no surprise that life in Virginia was going to be relatively harsh for the enslaved. The arrival of these slaves occurred at the same period that some residing in Virginia were “constrained to eat Doggs, Catts, rats, Snakes, Toad-stooles, horse-hides and wt nott.” Some even “fedd on the Corps of dead men” and one man was said to have killed his wife and “powdered her upp to eate.”<sup>8</sup> This greatly contrasts with the wild pigs, birds, fish, and plentiful fruit that was being consumed in Bermuda during this period.

Another difference that existed between the two colonies from a very early date was the dependence on bound labor for the economy. Virginia was much like Barbados and other Atlantic World colonies that by the mid to late-seventeenth century had a complete reliance on slavery for their economies to function. Historians argue that Virginia’s complete reliance on African slavery begins after Bacon’s Rebellion in 1676.

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<sup>5</sup> Craven, “An Introduction to the History of Bermuda,” 194-195.

<sup>6</sup> Steven Sarson, *British America 1500-1800: Creating Colonies, Imagining an Empire*, (New York: Oxford University Press, 2005), 85.

<sup>7</sup> Warren M. Billings, ed., *The Old Dominion in the Seventeenth Century: A Documentary History of Virginia, 1606-1689* (Williamsburg: The University of North Carolina Press, 1975), 155.

<sup>8</sup> Edward Neill, ed., *History of the Virginia Company of London, with Letters to and from the First Colony Never Before Printed*, (New York, Burt Franklin, 1968), 408.



However, historians have also argued that prior to Bacon's Rebellion, there was already a reliance on bound labor, but from indentured Englishmen rather than entirely from African slaves.<sup>9</sup> Bermuda, on the other hand, never developed a plantation economy and was thus less reliant on bound labor. The maritime economy that developed in Bermuda had slaves, but did not completely rely on them. Bermuda was a society with slaves, whereas Virginia was a slave society by the eighteenth century. Slaves were used in Bermuda for various maritime occupations, but the institution never reached the level it did in other Atlantic World colonies.<sup>10</sup> In fact, Bermuda banned the importation of slaves in 1676, both African and Indian slaves, a phenomenon which will be discussed at length in the following chapters.

This study focuses more on Bermuda than Virginia, but still compares the first century of slave customs, such as the level of punishment, and slave laws between the colonies. The early history of slavery in Bermuda can be divided into three distinct periods. The first, from approximately 1616 to 1650, was the experimental phase of slavery in Bermuda. During this time, white Bermudians were unsure of exactly what the economy was going to be and slave owners attempted to cultivate plantation crops such as tobacco and indigo. However, meeting with little success, plantation agriculture was largely abandoned. The next period involved the transformation to a maritime community, which took place from approximately 1650 to 1720. During this period, Bermudian landlords, having abandoned agriculture almost entirely, turned to maritime pursuits such as shipbuilding, the transport trade (such as sugar and salt), slave trading,

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<sup>9</sup> Alison Games, *The Web of Empire: English Cosmopolitans in an Age of Expansion: 1560-1660* (New York: Oxford University Press, 2008), 145-146.

<sup>10</sup> Jarvis, *In the Eye of All Trade*, 105.

and even piracy at times. The final period of slave history in Bermuda was from 1720 until slaves were granted their freedom in 1833. This period was characterized by active resistance of slaves in Bermuda as they began to rebel against the system until they were eventually granted their freedom.

The periods in the history of slavery in Bermuda analyzed in this study are the experimental years and the maritime turn, covering approximately 100 years of Bermuda's history. The final chapter touches on the post-1720 rebellious years. Virginia is used as the colony to compare with Bermuda for several reasons. Not only were they both founded by the same company, but their connection remained close for decades after their founding. When colonial Virginia was struggling for supplies, it was common for Bermuda to come to their aid with much needed supplies. Furthermore, Bermuda and Virginia were the first two English colonies in the New World to institute slavery. In fact, it was not uncommon for slaves in Bermuda to be sent to Virginia when Virginia's demand for slaves was high. By the 1700s the close connection between the colonies waned, but for a century after their founding, Bermuda and Virginia were according to historian Virginia Bernhard, "Sister Colonies."<sup>11</sup>

A plethora of books and studies have been written on colonial Virginia and the history of the larger Chesapeake region, such as Rhys Isaac's landmark, *The Transformation of Virginia, 1740-1790* (1982), and Philip D. Morgan's *Slave Counterpoint: Black Culture in the Eighteenth-Century Chesapeake & Lowcountry* (1998), to name a few. Morgan argues in *Slave Counterpoint* that various sets of pressures within various colonies would produce two very different slave societies.

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<sup>11</sup> Virginia Bernhard, *Slaves and Slaveholders*, 35.

Isaac's work sets out to understand people in Virginia of all classes and races and argues that the different people had varying experiences after the religious and political upheavals in Virginia. Furthermore, studies written about the Atlantic World or the British Empire such as Steven Sarson's *British America 1500-1800: Creating Colonies. Imagining an Empire* (2005), and David Armitage's *The British Atlantic World, 1500-1800* (2009) spend a great deal of time discussing Virginia while devoting just a few pages to Bermuda.

The existing historiography on Bermuda is lacking. There are only a few recent comprehensive studies completed on slavery and early colonial Bermuda. These include the lengthy *In the Eye of All Trade: Bermuda, Bermudians, and the Maritime Atlantic World, 1680-1783* (2010) by Michael J. Jarvis, which does not include much of the early period of slavery in Bermuda. Jarvis looks to show the importance of Bermuda for the British Empire by arguing that during the age of sail, Bermuda became an extremely important location in the Atlantic for the English. Virginia Bernhard's shorter *Slaves and Slaveholders in Bermuda, 1616-1782* (1999) discusses the early period of slavery in Bermuda but lacks any valuable connections to the larger Atlantic World arguing in her work that slavery was personal and happened to human beings. While this argument may seem obvious, too often is slavery discussed where it is ignored that the fact that the enslaved were indeed human beings. Quality scholarly works on Bermuda are so uncommon that one of the most commonly cited works discussing Bermuda is historian Wesley Frank Craven's, *An Introduction to the History of Bermuda*, completed in 1937 – eighty years ago.

This study will add to the historiography of comparative slavery in the Atlantic, a topic that has gained increased popularity in recent decades. Morgan's *Slave Counterpoint* is an excellent example of such a work. Much like this study, Morgan concludes that during the same period, under the same imperial rule, slave societies can have a great deal of variance due to the various conditions within the colony. This study will also add to the discussion of plantation labor in the Americas. The mistreatment of slaves on Virginian plantations discussed in this study is a topic that has been discussed by Atlantic World historians for a number of different regions and colonies. For example, this study makes the same conclusions about the brutality of plantation labor that is made by historian Russell Menard in *Sweet Negotiations: Sugar, Slavery, and Plantation Agriculture in Early Barbados*. Menard argues that plantation labor in Barbados led to severe mistreatment of the enslaved population.<sup>12</sup>

Another area of historiography this study adds to is the discussion surrounding race, racial categories, and racial formation in the seventeenth and eighteenth century. Many historians have argued that racial categories were more fluid in the seventeenth century and began to be solidified as slavery became race-based by the eighteenth century. David Armitage and Michael J. Braddick provide one such example of an analysis of race in the Atlantic World. They argue that, due to the slave system, race became particularly prominent throughout the Atlantic. Prior to the slave system in the Atlantic, European racial categories were much less concrete. It was when slave labor began to dominate the economy of the Atlantic that European ideas of concrete racial

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<sup>12</sup> Russell R. Menard, *Sweet Negotiations: Sugar, Slavery, and Plantation Agriculture in Early Barbados*. (University of Virginia Press, 2006), 96-97.

categories and racism became common.<sup>13</sup> This study confirms this theory with the example of Bermuda. Racial lines were more fluid in the early seventeenth century; by the end of the century in Bermuda, much like the rest of the Atlantic World, racial categories became more concrete as African became synonymous with slave.

Historians have pointed to why slavery developed in the respective colonies. Initially, slaves brought to Bermuda performed a variety of tasks. They were divers searching for ambergris, pearls, and shipwrecks, and also served as household slaves where they took care of the house, the children, and small gardens. It was not until the mid-1600s, several decades after the arrival of slaves in Bermuda, that they turned to maritime occupations. Conversely, historians argue that slaves brought to Virginia were intended to perform plantation labor, particularly after 1676, when Bacon's Rebellion deemed indentured servitude to be too costly and potentially dangerous. Virginia had intentions of becoming a slave society with the introduction of its slaves, whereas Bermuda was always seen as a mere society with slaves.

This study of Bermuda also attests to the argument made by historians such as Marcus Rediker about a high level of maritime workplace discipline, particularly upon pirate ships. The records make clear that Bermudian slaves were often employed in maritime pursuits. Furthermore, many Bermudian slaves were acquired through piracy and often spent time working upon pirate ships. Rediker argues that maritime employment, particularly that on pirate ships, built a high level of discipline for the

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<sup>13</sup> David Armitage and Michael J. Braddick, *The British Atlantic World, 1500-1800*, (Palgrave Macmillan, 2002), 173-174.

employed.<sup>14</sup> The records indicate that slaves in Bermuda during the seventeenth century had a very high level of workplace discipline; there were no mutinies on Bermudian ships and virtually no conspiracy plots in Bermuda for nearly a century after its founding.

This study will also add to the underdeveloped historiography of early colonial Bermuda, while also serving as a valuable comparison of slave laws and customs in the different parts of the Anglo-Atlantic World. Even within the same imperial system slave customs and laws varied significantly from colony to colony. The following chapters, which look at the first century of slavery in both Virginia and Bermuda clearly show that certain differences within each colony had a huge impact on the development of the slave laws and customs.

There are perhaps many reasons that Virginia is more studied more than Bermuda. Virginia was the earliest mainland colony that became a state with a population of millions while Bermuda remained a territory, never exceeding more than 70,000 people. Furthermore, a few decades after its founding, Virginia became a prosperous colony and many prominent individuals resided there, from John Rolfe to multiple early United States presidents. Another reason that may cause hesitation for a scholar to study Bermuda is the relative lack of primary sources. There are few existing primary sources from seventeenth century Bermuda, whereas Virginia is richly documented in comparison.

Primary sources for Virginia include government records, collections of letters, numerous diaries, and other firsthand accounts. For analyzing Virginia, this study has relied on each of these types of sources with a heavy reliance on official colonial records

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<sup>14</sup> Marcus Rediker, *Villains of All Nations: Atlantic Pirates in the Golden Age*, (Boston: Beacon Press, 2004), 65.

such as the collection edited by Warren M. Billings, *The Old Dominion in the Seventeenth Century: A Documentary History of Virginia* and the collection edited by William Hening, *The Statutes at Large; Being a Collection of All the Laws of Virginia*. Bermuda has significantly fewer primary sources to analyze but there are still some available. This study relies heavily on the available sources such as John Henry Lefroy's collection of acts, laws, and letters from early colonial Bermuda, *Memorials of the Discovery and Early Settlement of the Bermudas or Somers Islands, 1515-1685* (1877). Another source that was analyzed at great length was *The Rich Papers: Letters From Bermuda 1615-1646* (1984). Collections of letters and firsthand accounts from Bermuda's first century are rare, so these few collections are invaluable for researching the small island.

Another difficulty that arises when studying Bermuda's early years, particularly regarding the institution of slavery, is a simple issue of terminology. The terms slave and slavery are rarely used in the records that have survived. The records are imprecise as it is quite clear that slavery existed. White Bermudians seemed reluctant to use the terms slave or slavery. They often referred to their slaves as merely "servant," or "negro." Bermudians used the term servant indiscriminately to refer to both indentured servants and slaves so it becomes difficult to determine whether the source is actually discussing a slave or servant. For example, Robert Rich, the first Earl of Warwick, who often discussed his "servants" in his letters, listed a "negro man & woman" in an inventory of his personal belongings in 1641.<sup>15</sup> While Robert Rich often discusses his "servants"

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<sup>15</sup> J. H. Lefroy, ed., *Memorial of the Discovery and Early Settlement of the Bermudas or Somers Islands, 1515-1685*, (1877; reprint, Toronto: University of Toronto Press for the Bermuda National Trust, 1981), 567-568.

working on his land, it was clear that many (perhaps all) of his “servants” were in fact slaves. To further complicate the issue of determining the difference between servant and slave, many of the individuals that were called indentured servants in Bermuda were in fact slaves. In analyzing indentured servant records from 1636-1661, it becomes clear that many of these supposed indentures more closely resembled slavery under a different name. For example, a 99-year term was the most common term of service. Also common were terms of indenture for “life.”<sup>16</sup> It was quite apparent that many of those living in Bermuda under an “indenture” contract were in fact slaves.

The first chapter of this study, titled “Tobacco Plantations or Maritime Economy” compares the tobacco culture in Virginia with Bermuda’s maritime economy. This chapter discusses why maritime occupations for slaves in Bermuda led to relatively lax laws and customs as opposed to the tobacco plantation labor performed by slaves in Virginia which led to a harsh labor regime. Virginia’s plantation labor and greater reliance on slaves led to harsher conditions for its slaves. The enslaved in Bermuda were given opportunities that appear unique in the Atlantic World. Even in the latter half of Virginia’s colonial history, when there was some move to maritime occupations for slaves, there were still harsher restrictions on slaves in Virginia than on those in Bermuda.<sup>17</sup>

The second chapter, “Colonial Landlords: Virginia Residency and Bermuda Absenteeism,” analyzes the ownership patterns in each colony. The system of land tenure

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<sup>16</sup> Bernhard, *Slaves and Slaveholders in Bermuda*, 57.

<sup>17</sup> W. Jeffrey Bolster, *Black Jacks: African American Seamen in the Age of Sail*, (Harvard University Press, 1997), 74. Jeffrey Bolster goes great lengths in discussing the advantages that maritime employment gave to many slaves. However, he discusses that many colonies, including Virginia, had very strict regulations when it came to employing maritime slaves.



in each colony had a huge impact in creating relatively lax slave laws and customs in Bermuda, when compared to Virginia. Virginia was a settler colony. They were working their own plantations and oversaw the daily work performed by their slaves. Landlords in Bermuda on the other hand, were often absent from their land. Bermudian landowners typically resided in England or the Caribbean. Bermudian masters left a great deal of trust to their slaves, who in their absence, ran the day to day business. This level of trust that white Bermudians had for their slaves simply did not exist in Virginia. This fact alone explains why Virginia developed much harsher slave laws and customs for dealing with slaves.

The third and final chapter, titled “Post-1720: The Standardization of Bermudian Slave Law” goes outside of the “experimental” period and “turn to maritime opportunities” era of Bermuda’s history and discusses active resistance from slaves. Prior to 1720, Bermudian slave conspiracy plots and rebellions were almost unheard of. The beginning of the eighteenth century was a tumultuous time for many colonies in the Atlantic World and Bermuda was no exception. This final chapter discusses why Bermudian slaves began resisting their masters. The active resistance of Bermudian slaves starting in the 1720s, was the beginning of the end for the lax slave laws and customs that characterized slavery in Bermuda. After slaves in Bermuda became more and more rebellious, white Bermudians put into effect stricter laws and regulations governing slaves. For a century, Bermudian slaves experienced laxer laws and customs than in Virginia or anywhere else in the British Atlantic. This came to an end when Bermudian law-makers determined slaves were too dangerous. Laws were standardized

to resemble those that existed in Virginia and the rest of the more oppressive slave regimes in the Anglo-Atlantic World

## CHAPTER II

### TOBACCO PLANTATIONS OR MARITIME ECONOMY

Colonial Virginia and Bermuda both got their start nearly at the same time in the early seventeenth century by the English under the Virginia Company. However, it was clear by mid-century that the economy of the two colonies was headed in different directions. Both colonies attempted to make their profits by growing tobacco, but only Virginia did so successfully. Bermuda's brief attempt at tobacco agriculture quickly ended as colonists determined the land and climate was unsuitable for tobacco. The inferior tobacco produced in Bermuda was barely marketable, as higher quality Virginia tobacco flooded European markets. Bermuda, with its strategic location in the Atlantic Ocean, sitting almost equidistant between England and its American colonies, instead created a maritime economy. Different economies necessitated different labor regimes. This difference in labor between Virginia and Bermuda was one of the major aspects that led Virginia to having restrictive slave laws (that often restricted the movement and autonomy of slaves) and harsh discipline, such as brutal whippings and other punishments. The harsh conditions for slaves and other plantation laborers led to slave rebellions and conspiracy plots in late seventeenth century in Virginia, particularly after Bacon's Rebellion in 1676 when indentured servitude was largely abandoned. Such conspiracies and rebellions were virtually non-existent in Bermuda until the mid-eighteenth century. When they did arise, it led to a series of laws and regulations being implemented that restricted slaves and subjected them to harsh punishments never before seen in Bermuda.

Even prior to the planters putting strict laws and regulations on slaves, the basic conditions that slaves in Virginia were subjected to were significantly worse than in Bermuda. In Virginia, there was adverse weather for working outside; there are very cold winters and the summers got extremely hot, creating an unfavorable disease climate. There was also invasive species and other pests that had to be dealt with. Indeed, some firsthand accounts of colonial Virginia point to the adverse climate that led to the initial increase of slave labor instead of continuing the widespread use of indentured labor. Virginia has very hot summers and it was commonly thought that slaves, “withstood the climate during the summer better than the whites.”<sup>1</sup> One narrative written by Robert Beverley in 1705 stated that the often “sickly” conditions in Virginia should not be an issue if one takes “due care of themselves” while living there during the summer months.<sup>2</sup> He goes further by stating that the ailments caused by the adverse weather is due to “Excessive Action...in the midst of the Heat” and therefore should be easily avoidable.<sup>3</sup> While this assertion is most certainly true that excessive action in the summer heat should be avoided, it was simply not an option for slaves on tobacco plantations to avoid such action. There was no option but for the slaves to suffer under the hot Virginia sun.

Battling the hot Virginia summer was one of the first tasks of Virginia tobacco planters. Within just a couple decades of its founding, the settlers were keenly aware of

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<sup>1</sup> Alexander Brown, ed., *The First Republic in America: An Account of the Origin of this Nation, Written from the Records then (1624) concealed by the Council, Rather than from the Histories then Licensed by the Crown* (New York, Russel and Russel, 1969), 249.

<sup>2</sup> Robert Beverley, *The History and Present State of Virginia* (Williamsburg, VA: University of North Carolina Press, 1947), 298.

<sup>3</sup> Beverley, *The History and Present State of Virginia*, 305.

this issue. They saw great potential in tobacco agriculture, but felt that the “enormous profits” would only be met if “suitable labor for working the crop in the sickly summer season could be procured.”<sup>4</sup> The English residing in Virginia borrowed what they saw from the Spanish in their American colonies and began using slave labor for their plantations. The climate in Virginia had settlers looking away from indentured servitude and more towards “skilled negro labor from the Spanish West Indies” and elsewhere to begin their tobacco plantation culture.<sup>5</sup> While indentured servitude was still the dominant labor force prior to 1676, Virginian colonists had begun to use some African slaves.

While the hot, sickly summers certainly caused issues for the slaves working on tobacco plantations it was not the only issue of their working conditions. There was also a great deal of pests to deal with on the tobacco plantations. The combination of pests and adverse weather led to many diseases and ailments for the laborers. For example, the letters of William Byrd II reveal that there were several diseases in Virginia that were particularly fatal to the slave population such as “pleurisy” which Byrd claimed was the “most fatal of all deseases in this clymate amongst the Negros & poor people.”<sup>6</sup> In his correspondence, Byrd also mentions worms that cause numerous fatalities in children and in African slaves. Little could be done, if anything, to prevent these deaths until the mid-1700s when a remedy is discovered.<sup>7</sup>

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<sup>4</sup> Brown, *The First Republic*, 288.

<sup>5</sup> Brown, *The First Republic*, 289.

<sup>6</sup> Marion Tinning, ed., *The Correspondence of the Three William Byrds of Westover, Virginia: 1684-1776* (Westover, VA: The University of Virginia Press, 1977), 512.

<sup>7</sup> Tinning, *The Correspondence of the Three William Byrds*, 529.

The slaves working on plantations in Virginia had to deal with more than these diseases and worms, they also had various vermin and pests that caused issues. There were venomous snakes, some of which had a bite so dangerous that after a bite, “without some immediate application, [the effect] is certainly death.”<sup>8</sup> There was also a number of insects that were a nuisance, particularly in the hot summer months; they had “Seed Ticks, and Red Worms,” that “annoy People by day” as well as “Musketaes, and Chinchies.”<sup>9</sup> The harsh environment and climate that the slaves had to endure on tobacco fields in Virginia was simply not experienced by Bermudian slaves.

Historians of the Chesapeake region have pointed to how difficult processing tobacco was and how harsh life was living on tobacco plantations. The process was physically demanding on slaves from the very start. Europeans adopted slash-and-burn clearing from Native Americans and introduced their own domesticated livestock as well as metal tools. This allowed for large plantations and required many slaves. Living conditions for slaves, which was already poor, was exacerbated by the increase in slaves and their dismal housing was often full of sick and debilitated slaves.<sup>10</sup>

A further issue making the process of planting and curing a difficult task for African slaves in Virginia was the fact that they had no previous experience with the crop. Slaves had to be taught every aspect of tobacco planting, from harvesting to processing and packing, where they were to work under a supervisor often from sun up to sun down. The experienced owners used physical punishment and intimidation to teach

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<sup>8</sup> Beverley, *The History and Present State of Virginia*, 300-301.

<sup>9</sup> Beverley, *The History and Present State of Virginia*, 302-303.

<sup>10</sup> Lorena Walsh, “Plantation Management in the Chesapeake, 1620-1820,” *The Journal of Economic History*, Vol. 49, 2 (June 1989): 393-394.

the often unwilling slaves the process of tobacco cultivation.<sup>11</sup> Not only were environmental conditions difficult for slaves but their living conditions as well as the process of cultivating tobacco put a strain on Virginia's enslaved.

Bermudian slaves, even prior to completely abandoning tobacco cultivation, had a less harsh environment to deal with. It did not take long for a Virginian in Bermuda to make the claim that "The climate of the Somers Islands, however, was more congenial to them [slaves] than that of Virginia."<sup>12</sup> William Byrd II used a poem by Edmund Waller in his correspondence to describe the mild climate in Bermuda. The first lines of the poem state, "So sweet the air, so moderate the clime, None sickly lives, or dies before his time."<sup>13</sup> Bermuda was known for its mild climate and had few pests to deal with, aside from the occasional rat that came in on merchant ships. It was clear in the early years of colonial Bermuda and Virginia that the working conditions and environment was going to lead to a certain level of unrest among tobacco plantation workers in Virginia.

While the environmental conditions in Virginia were clearly far worse, particularly during the summer months than they were in Bermuda, it was not the only difference that caused Virginian slaves to rebel or conspire against their owners which led to their relatively strict slave laws. Unlike in Bermuda, Virginian slaves were largely used as plantation slaves on relatively large tobacco plantations. Not only was the work extremely intensive compared to what Bermudian slaves experienced, but the punishments and physical abuse on tobacco plantations was also much worse. This held

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<sup>11</sup> Lorena Walsh, "Summing the Parts: Implications for Estimating Chesapeake Output and Income Subregionally," *The William and Mary Quarterly*, Vol 56, 1, (January, 1999): 68-70.

<sup>12</sup> Brown, *The First Republic*, 326.

<sup>13</sup> Tinling, *The Correspondence of the Three William Byrds*, 404-405.

true in not only Virginia's tobacco plantations but on plantations throughout the Atlantic, such as the sugar plantations in Barbados.

Slaves were indeed seen on tobacco plantations in Virginia from a very early date. As early as 1619 it was said that planters "began to substitute negroes" instead of indentured servants to work on the tobacco plantations.<sup>14</sup> With horrible labor conditions, long difficult days working on the plantation, and harsh punishments for slaves it was not long before they began trying to conspire against their masters and run away. In 1640, "a negro of Mr. Reginald's" plotted to run away from his plantation. The slave Emmanuel, along with several servants, successfully took the "skiff of the said Capt. William Pierce" along with "corn, powder and shot and guns" and began down the Elizabeth River. The servants involved in the plot were punished; however, the slave Emmanuel was punished the most severely. He was to "receive thirty stripes" as well as having his face branded with the letter 'R' and had to "work in shackles one year or more as his master shall see cause."<sup>15</sup> While this rebellion attempt was cut short as the stolen skiff was discovered on the river, it was not the only attempt by Virginian slaves to incite a rebellion.

Another slave rebellion in Virginia prior to Bacon's Rebellion was attempted in the "slave conspiracy of 1663" which "involved both poor white servants as well as black slaves in Gloucester County."<sup>16</sup> Once again, the disgruntled tobacco laborers attempted to rebel due to their poor treatment and conditions in bondage. The servants and slaves attempted to gather with weapons with the hopes of getting other laborers to follow.

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<sup>14</sup> Brown, *The First Republic*, 249.

<sup>15</sup> Warren M. Billings, ed., *The Old Dominion in the Seventeenth Century: A Documentary History of Virginia, 1606-1689* (Williamsburg: The University of North Carolina Press, 1975), 159.

<sup>16</sup> Mark G. Hanna, *Pirate Nests and the Rise of the British Empire, 1570-1740* (The University of North Carolina Press, 2015), 174.



However, much like the previous rebellion attempt in 1640, this conspiracy plot was discovered by authorities before the servants and slaves could gather and act. Once again, harsh punishments were given out to those who were captured, although only a few were captured as many successfully made their escape. After the attempted plot to “destroy their Masters” was discovered, the four who were captured were hanged.<sup>17</sup>

After the runaway attempts and conspiracy plots increased on plantations in Virginia, punishments increased and the courts began to write laws putting various restrictions on slaves. Even in the years prior to Bacon’s Rebellion the harsh slave laws and customs in Virginia began. Four years before Bacon’s Rebellion, in 1672, the justices in Surry County, Virginia put an act into effect, which among other things, restricted the movement of slaves. The act stated that slaves were no longer able to meet on Saturdays or Sundays out the fear of further “danger & damage of the neighbours.” The act went even further and restricted what slaves could wear so they were easily identifiable, it stated that, “Noe negro shall be allowed to weare any white Linninge, but shall weare blew shirts.”<sup>18</sup> These acts were put in place to allow for greater oversight of slaves but most importantly to increase the master’s control over their slaves.

An increase in acts and regulations restricting slaves was not the only thing changing during the years before Bacon’s Rebellion, as there was also an increase in the harsh punishments given to plantation slaves. For example, when the runaway slave, Will, was captured he was sent to prison “till further order.” Not only was he sent to prison with no timetable for return, it was also ordered that Will was to be given “A Good

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<sup>17</sup> Beverley, *The History and Present State of Virginia*, 69.

<sup>18</sup> “Management of Slaves,” *Virginia Magazine of History and Biography* (1899-1900), 314.

and well laid on whipping.” Furthermore, with the increased fear of slave runaways and uprisings punishment was also handed down to Will’s owner; he was ordered to pay one thousand pounds of tobacco “and Caske for charges & fees.”<sup>19</sup> A series of customs and laws were put into place in the years following Bacon’s Rebellion in Virginia; however, it is clear these changes began in the plantation society of Virginia many years prior to Nathaniel Bacon.

To see that the early tobacco economy of Virginia truly differed from Bermuda, an analysis of the early Bermudian economy is necessary. Unlike in Virginia, the slaves brought to Bermuda were not sent immediately to plantation labor; rather, they were brought to the island for their supposed ability to swim and dive. Many western Africans had the ability to swim so it was the cultural assumption that all slaves had the ability. They were sent to dive for pearls and were also used in salvaging the numerous shipwrecks that surrounded the island, which for many years was a lucrative practice given frequent ship groundings.<sup>20</sup> It was also common practice in Bermuda for slaves to be used as household servants who worked alongside the family, working in small gardens or with the master’s children.<sup>21</sup> Female slaves, in particular, held household positions such as working in domestic childcare, laundry, cooking, and cleaning.<sup>22</sup> This type of work led to longer, healthier lives for slaves residing in Bermuda compared to Virginia, and gave Bermudian slaves less reason to rebel than those residing in Virginia.

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<sup>19</sup> H.R. McIlwaine, ed., *Minutes of the Council and General Court of Colonial Virginia*, (Gale, 2012), 346.

<sup>20</sup> Instructions of Governor Tucker, 1616, J. Henry Lefroy, ed., *Memorials of the Discovery and Early Settlement of the Bermudas or Somers Islands, 1515-1685* (1877; reprint, Toronto: University of Toronto Press for the Bermuda National Trust, 1981), 567-568.

<sup>21</sup> Terry Tucker, *Bermuda: Today and Yesterday, 1503-1973*. (NY: St. Martin’s Press, 1975), 83.

<sup>22</sup> Lefroy, *Memorials*, 2: 25-26.

This is made clear by the lack of evidence of any seventeenth century conspiracies or rebellions in Bermuda.

Working as salvagers or as household slaves gave Bermudian slaves an advantage, living longer and healthier lives, over Virginian slaves relegated to plantation labor. However, the most important labor performed by slaves in Bermuda was their role in the quickly growing maritime economy. Throughout the seventeenth and eighteenth centuries, Bermudian slaves worked on a variety of ships. The whaling industry in Bermuda was established as early as 1633 and it was common practice for slaves to be oarsmen and harpooners upon the whaling ships.<sup>23</sup> There were numerous maritime jobs that slaves participated in during the decades following. They worked alongside their masters as fishermen, salt traders, as well as many portside jobs such as maintaining forts and building ships.<sup>24</sup> These various maritime positions for slaves led to a great deal of opportunities and relative freedom that was not experienced in Virginia such as freedom of movement, the ability to earn personal income, and a certain level of autonomy.

There are no existing records of slave sailors' narratives that survived from colonial Bermuda. However, historians have done a great deal of work highlighting the various opportunities that maritime work gave to slaves around the Atlantic World which allows some insight into what the life of slave sailors in Bermuda was like. According to historian Jeffrey Bolster, slaves working in maritime industries were given opportunities unavailable to plantation slaves. They could move freely on ships and in ports and were often without white supervision for extended periods of time which was certainly not

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<sup>23</sup> Lefroy, *Memorials*, 2: 254.

<sup>24</sup> Virginia Bernhard, *Slaves and Slaveholders in Bermuda, 1616-1782*. (Columbia: University of Missouri Press, 1999), 166-170.

standard practice in Virginia.<sup>25</sup> Even the hierarchy of race was challenged on ships where some slaves were near equals to the whites on board.<sup>26</sup> The dangerous nature of maritime work often made experience a more important factor than race.

Other historians, such as Michael Jarvis, have also pointed to the benefits of maritime labor for slaves. Jarvis points out that maritime slaves also had much more time off than plantation slaves and had some say in for whom and where they were going to work.<sup>27</sup> He also points out that slaves upon Bermudian vessels received pay; it was a common practice by 1711 for slaves to carry personal goods with them to trade as they were out at sea.<sup>28</sup> Olaudah Equiano, while not working in Bermuda, serves as a great example of how beneficial maritime work can be for slaves. He worked alongside many whites and found that “white seamen were less likely than other whites to abuse blacks.”<sup>29</sup> Equiano also serves as a great example of how maritime slaves could earn a personal income. He was able to earn money so successfully that eventually he could purchase his freedom from his master.<sup>30</sup>

In comparing the maritime economy in Bermuda in the seventeenth and eighteenth centuries to the plantation economy in Virginia, it is no surprise that there was more uprisings, rebellions, and runaways in Virginia than there was in Bermuda. In fact,

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<sup>25</sup> W. Jeffrey Bolster, *Black Jacks: African American Seamen in the Age of Sail* (Cambridge: Harvard University Press, 1997), 135, 144.

<sup>26</sup> Bolster, *Black Jacks*, 70.

<sup>27</sup> Michael J. Jarvis, *In the Eye of All Trade: Bermuda, Bermudians, and the Maritime Atlantic World, 1680-1783* (The University of North Carolina Press, 2010), 108.

<sup>28</sup> Michael J. Jarvis, “Maritime Masters and Seafaring Slaves in Bermuda 1680-1783,” *The William and Mary Quarterly* Vol 59 no. 4 (July, 2002): 606.

<sup>29</sup> Bolster, *Black Jacks*, 99.

<sup>30</sup> Bolster, *Black Jacks*, 143.

there was not a single uprising or mutiny attempt upon a Bermudian vessel until 1753.<sup>31</sup> The decades just following Bacon's Rebellion, when Virginia turned away from indentured servitude and towards using more slave labor, and the laws and customs began to become very harsh and restrictive was when Bermuda's maritime employment was booming and the slaves were enjoying relatively lax laws, or at least a lack of harsh and restrictive laws as was the case in Virginia during this period. After Bacon's Rebellion in Virginia, this trend of relatively harsh and restrictive laws continued and even increased as the fear of slave uprisings ramped up in late seventeenth century in colonial Virginia.

Bacon's Rebellion is one of the most well-known and well-covered events that took place in seventeenth century colonial Virginia. What is often left out or not given enough attention is the fact that there were slaves involved in the rebellion, particularly in the latter half of the rebellion. Historian Philip D. Morgan argues that the last group during the rebellion to surrender, even after Bacon's death, was a group of about eighty black slaves.<sup>32</sup> The first portion of Bacon's rebellion in which indentured servants (and several slaves) join Nathaniel Bacon against Native Americans and against the ruling class of Virginia, typically garners the most of the attention from scholars; however, the latter half of the rebellion which was comprised of servants and numerous slaves deserves attention as it had a great deal of impact regarding the next several decades of slave law in colonial Virginia. This second, less-often discussed, portion of Bacon's rebellion was, according to historian Markus Rediker a "war against slavery" and drove

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<sup>31</sup> Jarvis, *In the Eye of All Trade*, 156.

<sup>32</sup> Philip D. Morgan, *Slave Counterpoint: Black Culture in Eighteenth-Century Chesapeake and Lowcountry* (University of North Carolina Press, 1998), 9.

the fear of slave uprisings and conspiracy plots into Virginian planters for years to come.<sup>33</sup>

Immediately after the rebellion there was a move away from indentured servitude and a move towards African slavery as the main source of labor. This move came from a fear of white laborers rising once again, since Nathaniel Bacon, the leader of the rebellion, was a former servant. The initial rebellion was not about race, rather it was a matter of status. Legislation in Virginia also came out immediately after the rebellion that all non-Christian servants (Africans) should remain in Virginia as slaves for life. This led to a quick switch in the use of a combination of slaves and servants to the importation of slaves as the majority labor force and while the demography of the laborers changed, the unrest felt by the tobacco laborers remained. What was once a fear of multi-racial servant/slave uprisings quickly turned into to an outright fear of slave uprisings.<sup>34</sup> This fear of slave uprisings and rebellions simply did not exist yet in the maritime economy of Bermuda as it did in Virginia, and the restrictive laws and the custom of harsh punishments in colonial Virginia became more apparent than ever in the decades following Bacon's Rebellion. In Bermuda, it was this very lack of restrictive laws and harsh punishment that led to so few uprisings prior to the 1700s when race relations began to break down.

Just a few years after Bacon's Rebellion in 1680 there was a planned slave uprising that was discovered on the "northern neck" of Virginia. The plot was discovered before the conspirers could take any action. Swift and harsh action was taken by the

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<sup>33</sup> Peter Linebaugh and Markus Rediker, *The Many Headed Hydra: Sailors, Slaves, Commoners, and the Hidden History of the Revolutionary Atlantic* (Beacon Press, 2013), 136.

<sup>34</sup> Linebaugh, *The Many Headed Hydra*, 138.

authorities with the hopes of deterring any further slave conspiracies. Those who were found guilty of planning the 1680 conspiracy were sentenced to “Condemnation and Execution.” The court who made the ruling also called for “Strickt observance of the Severall Laws of this Collony relateing to Negroes” particularly in regards to their freedom of movement.<sup>35</sup> There were already a few laws in place from earlier years that restricted a slave’s movements but it was not customary up until this point to follow said laws. The court was so strict after the 1680 conspiracy plot was discovered that they barred any slaves from meeting for funerals for deceased slaves who were involved with the plot.<sup>36</sup> This was just one of many attempted plots against masters in late seventeenth century Virginia.

By 1680 the fear of uprisings on tobacco plantations in colonial Virginia increased and a series of laws were enacted in the following decades to restrict any freedom or rights of their slaves. On June 8, 1680, Virginia’s General Assembly passed “An act for preventing Negroes Insurrections.” This act stated that “it shall not be lawfull for any negroe or other slave to carry or arme himselfe with any club, staffe, gunn, sword or any other weapon of defence or offence.”<sup>37</sup> Under this act, slaves were also barred from being able to leave their master without having a certificate. The act went further and stated that if a runaway slave is found to be resisting, any person is given the right to “kill the said negroe or slave soe lying out and resisting.”<sup>38</sup> There could be little further

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<sup>35</sup> Billings, *The Old Dominion*, 160.

<sup>36</sup> Billings, *The Old Dominion*, 160.

<sup>37</sup> William Waller Hening, ed., *The Statutes at Large: Being a Collection of All Laws of Virginia, from the First Session of the Legislature* (New York: R & W & G Bartow, 1823), 481.

<sup>38</sup> Hening, ed., *The Statutes at Large*, 482.

contrast in the customs and laws that were being practiced in the maritime community of Bermuda during this period. Not only were Bermudian slaves not barred from carrying any arms they were, in fact, required to carry arms so they could “appear at every muster with muskets and bullets, and a good sword.”<sup>39</sup> This law in Bermuda that required slaves to be armed, the Militia Act, was signed into effect just ten years after the act in Virginia appeared barring slaves any access to weapons and gave the right for colonists to kill any resisting runaways.

The years following the “northern neck” conspiracy plot in Virginia saw the cycle of rebellions and conspiracies from plantation slaves with harsh punishments and restrictive laws continue. In 1687 another slave plot, the Westmoreland Slave plot, was discovered. The plot discovered by Governor Effingham was planned by plantation slaves who wanted to not only kill their masters, but to carry the rebellion through all of Virginia. However, the plot was discovered by Effingham and the slaves involved were executed.<sup>40</sup> Governor Effingham went on to proclaim that masters needed to restrain “their Negroes from walking and rambling on broad on Satterdayes and Sundayes” and bar them from being able to meet in order to stop the “bloody purposes on their Masters and Mistrisses.”<sup>41</sup> While this plot was discovered before any action was able to take place, the reaction of the colonists was swift and harsh and the brutal punishments given to slaves would continue.

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<sup>39</sup> Tucker, *Bermuda: Today and Yesterday*, 83.

<sup>40</sup> H. R. McIlwaine, ed., *Executive Journals of the Council of Colonial Virginia* (Richmond, The Virginia State Library, 1925), 86.

<sup>41</sup> York County Deeds, Orders, and Wills, 24 January 1687.



In 1688, just one year after the Westmoreland slave plot, “Sam a Negro” was given punishment for his involvement in promoting “a Negro Insurrecon in this Colony” on several occasions.<sup>42</sup> For his involvement, (the records are unclear about what his actual involvement was) Sam was punished harshly. He first was paraded around town and to the gallows while being whipped as a form of public punishment. Furthermore, he was given a heavy iron collar to be placed around his neck with “four spriggs” attached to it for the rest of his life and was ordered to never to leave his masters plantation again.<sup>43</sup> It was clear that by the late 1600s there was a level of cruelty on tobacco plantations in colonial Virginia that was not matched in Bermuda. This high level of punishment in Virginia was an attempt to control the growing and potentially dangerous work force.

By the 1690s, the level of fear in Virginia of plantation slaves running away or conspiring against their masters was extremely high. On July 26, 1690 Governor Nicholson set out to remind Virginians of Effingham’s warning as well as remind them of the 1680 “Act for preventing Negroes insurrections.” He was so worried that the act was not going to be following that he ordered the “act about Negroes” to be “read in all county cts [courts] & churches.”<sup>44</sup> Now the restrictions placed on slaves was not only written in law but the restricting of slaves was now becoming custom in Virginia as well.

The year following Governor Nicholson’s warning, another act was codified in colonial Virginia to stop slaves from resisting and rebelling. The 1691 “Act for suppressing outlying slaves” was written due to the increase in runaways and an increase

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<sup>42</sup> “Punishment For a Negro Rebel,” *William and Mary Quarterly* (1901-1902), 177.

<sup>43</sup> “Punishment For a Negro Rebel,” *William and Mary Quarterly* (1901-1902), 178.

<sup>44</sup> York County Deeds, Orders, and Wills, 24 September 1690, 499.

of fear that the runaways were going to conspire against the planters. The act stated that it would be lawful for the authorities looking for runaways to “kill and distroy such negroes, mulattoes, and other slave or slaves by gunn or any otherwise whatsoever.”<sup>45</sup> The act gave the stipulation that if a slave was killed in this manner that the owner would be paid for the loss of property. This act also put harsh penalties on any white person who marries a “negroe, mulatto, or Indian man or woman bond,” and states that anyone found guilty would be forever banished from Virginia. Slaves in Virginia, whether African or Indian, were thought to be inferior to the European colonists. Furthermore, if any white person was to “have a bastard child by any negro or mulatto,” she would be fined and the child would be “bound out as a servant by the said Church wardens” until the age of thirty.<sup>46</sup>

The laws being put in place in the late 1600s in Virginia were quite restrictive on slaves and allowed masters latitude in punishing plantation slaves. The few laws written in Virginia during this period that were written against a master’s cruelty were reserved almost entirely for the remaining white servants, not for slaves. Servants could make complaints about the cruelty of their masters in court, it was required that servants receive a “wholesome Diet, Clothing, and Lodging,” and servants who were treaty cruelly by their master were to be removed and “boarded in some good Planters House.”<sup>47</sup> These laws, and others like them, established protections against cruel treatment and punishments from masters for white servants but gave no such protections

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<sup>45</sup> Hening, *The Statutes at Large*, 3: 86.

<sup>46</sup> Hening, *The Statutes at Large*, 3: 87.

<sup>47</sup> Beverley, *The History and Present State of Virginia*, 273.

to the enslaved. The protective laws given to servants and the restrictive laws placed on slaves led to a working environment characterized by harsh punishments given to slaves.

In 1713, the wife of planter John Wilson was watching over their plantation's slaves. Mrs. Wilson took it upon herself to punish a misbehaving slave (the record is unclear as to exactly what the slave was being punished for). Regardless of how the slave misbehaved, Mrs. Wilson punished the slave with a brutal flogging. She flogged the slave so ruthlessly that the slave did not survive. In the trial that took place for the "death of a Nigro wench," three years after the incident, the court acquitted Mrs. Wilson, and she faced no punishment for the killing.<sup>48</sup> In a letter to Charles Boyle, the Earl of Orrery in 1727, William Byrd II writes about the custom of giving harsh punishment to slaves in Virginia. He writes of the "poor negros" doing the hard tobacco labor in Virginia.<sup>49</sup> In a letter written shortly after his letter to the Earl of Orrery, Byrd II makes it clear how common harsh or "severe" treatment of slaves is. He claimed that due to increasing number of slaves he and other planters felt there was a "necessity of being severe." He claims slaves were insolent and that "foul means must do, what fair will not" when dealing with them. He felt that the increasing number of slaves was a "publick danger" and that severe punishments ensured that the slaves would not rebel and "tinge our rivers as wide as they are with blood."<sup>50</sup> The system pacified and subjected the enslaved.

Clearly, slaves suffered a great deal on colonial Virginia's tobacco plantations due to the restrictive laws and the harsh punishments. However, the custom of mistreating

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<sup>48</sup> Tinling, *The Correspondence of the Three William Byrds*, 297.

<sup>49</sup> Tinling, *The Correspondence of the Three William Byrds*, 358.

<sup>50</sup> Tinling, *The Correspondence of the Three William Byrds*, 488-489.

slaves in Virginia began for many slaves even prior to reaching the plantation. The slaves arriving to Virginia on ships were often left on the disease-ridden ships for several days before being sold to the plantation. For example, the slaves on Captain James ship arrived in Virginia and left the slaves on the ship for “3 or 4 days in the bitter cold weather.” Many of the slaves left on Captain James ships died (some apparently from small pox). The plantation owner was charged only for the “15 Negro’s” that made it ashore and was not charged for those who did not survive.<sup>51</sup>

In Virginia, particularly after Bacon’s Rebellion, there were laws put into place to restrict the autonomy and movement of the slaves who were the majority of the labor force. Around the turn of the century, an increase in rebellions and conspiracies led to more restrictive laws and harsh treatment to suppress future conspiracies. This was during the same period that Bermudian slaves were taking advantage of the maritime economy of Bermuda and the relative freedom and benefits that maritime employment offered slaves. Instead of harsh conditions, treatment, and laws that restricted their movements, they had greater relative freedom. Where Virginian slave laws made it illegal for slaves to assemble, Bermudian laws actually worked to do the opposite; a law written in Bermuda on 1719 gave Bermudian vessels the right to carry “as many Negroes or other slaves” that the owners felt was necessary, which was an exception to the Navigation Acts that put strict limits on the number of slave sailors on any given English vessel.<sup>52</sup>

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<sup>51</sup> Tinling, *The Correspondence of the Three William Byrds*, 65-66.

<sup>52</sup> Calendar of State Papers, Colonial Series, America and West Indies, 1574-1733, vol 18, 658.

CHAPTER TWO  
COLONIAL LANDLORDS: VIRGINIA RESIDENCY  
AND BERMUDA ABSENTEEISM

Land owners in seventeenth-century Virginia were, in several aspects, quite different from Bermudian landlords. Virginian plantation owners treated their slaves in a different manner than that of the Bermudian landlords who were involved in the maritime trades. Plantation owners in Virginia typically owned a larger number of slaves than Bermudian slave owners and the work slaves performed in Virginia was typically more physically demanding and harsh punishment was more common. Bermudian slave owners were often less strict with their slaves. The labor was also less physically demanding and slave holdings were smaller. While harsher slave punishment was certainly a difference between Virginian and Bermudian slave owners, perhaps the most noticeable difference between them was the simple fact that Bermudian landlords were quite often absentee landlords - - they did not live on the land they owned. This was the opposite of what was common practice in Virginia. This practice led to a higher level of autonomy and trust for slaves in Bermuda as they were often left unsupervised on their owner's land and often continued running their master's daily business affairs in their absence. The rigid and controlling mentality of resident Virginian slave owners and the absenteeism common amongst Bermudian slave owners led directly to different slave laws and different customs relating to control and discipline in Virginia than in Bermuda in the seventeenth and early eighteenth centuries.

The most notorious absentee landlords in early colonial Bermuda, though by no means the only ones, were the members of the Rich family, particularly Sir Robert Rich,

the second Earl of Warwick (often referred to as Warwick), who until his death owned more land in Bermuda than any other landlord. Warwick was a prominent Englishman who spent much of his time away from his estates in Bermuda in England or in other English colonies in the Atlantic World, much like his father had. As early as 1618, Warwick was leaving his land in Bermuda in the hands of his slaves. In a letter dated 12 December 1618, an associate of Warwick and former governor Miles Kendall wrote to Warwick from Bermuda while he was in England. Kendall stated that he received the orders given by Warwick and informed him that, “the Negar is placed upon your land.”<sup>1</sup> The slave in question was thought to have a high level of knowledge in planting tobacco and was trusted by Warwick and Kendall to run the farm in Warwick’s absence. This level of trust would have been virtually unheard of in early colonial Virginia.

Warwick leaving his slave to take care of his land and business in late 1618 was not an isolated incident; rather, landlord absenteeism soon became common practice for Bermudian landlords. Warwick’s privateering (or often outright piracy) was also Bermuda’s major source for procuring new slaves. Slaves who were obtained in this manner went on to perform work on the island unsupervised. Warwick left the slaves to the Bermuda Company where they would work for the company largely unsupervised, such as was the case of the “fourteen negroes which had been given the former governor”

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<sup>1</sup> Vernon A. Ives, ed., *The Rich Papers, Letter from Bermuda 1615-1646: Eyewitness Accounts Sent by the Early Colonists to Sir Nathaniel Rich* (Toronto: University of Toronto Press, 1984), 120.

in 1620 by Warwick.<sup>2</sup> The Bermuda Company knew they were an “accessory to Pyracye” but were more than willing to continue to work with the prominent Warwick.<sup>3</sup>

While being often absent from their land necessitated a certain level of trust in their slaves for many Bermudian landlords, everyone was not happy with slaves being left unattended. In a letter dated 1 February 1623, Captain Harrison wrote to John Perenchiefe concerning Warwick’s absenteeism. While Harrison did not seem particularly concerned about the act himself, he wrote that around the island there is much “question and controuersye concerning my Lord of Warwick and his Negroes” who were working, often unsupervised, on various plots of land owned by Warwick.<sup>4</sup> Even though Harrison and Perenchiefe are not particularly concerned about Warwick’s absenteeism, it shows how widespread it was.

The same concern about unsupervised slaves in Bermuda was voiced in a January 1620 letter from Thomas Durham to Warwick’s cousin Nathaniel Rich. He stated that many of Warwick’s slaves left on his land were “more respecting their own private gaine than any profit for their master,” it was thought they were “plantinge tobacco more than for their owne use” and were selling the excess for a profit.<sup>5</sup> While some concern is expressed about slaves profiting, the concern was minimal. In the same letter from

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<sup>2</sup> Alexander Brown, ed., *The First Republic in America: An Account of the Origin of this Nation, Written from the Records then (1624) concealed by the Council, Rather than from the Histories then Licensed by the Crown* (New York, Russel and Russel, 1969), 359.

<sup>3</sup> Brown, ed., *The First Republic*, 368. Warwick was one of the richest, perhaps the richest, landlord in Bermuda. The colonial government knew that his actions were beyond privateering and was considered piracy but due to the financial benefit that Warwick and indeed several other pirates accrued for the island they were more than willing to continue allowing his actions.

<sup>4</sup> J. Henry Lefroy, ed., *Memorials of the Discovery and Early Settlement of the Bermudas or Somers Islands, 1515-1685* (1877; reprint, Toronto: University of Toronto Press for the Bermuda National Trust, 1981), 283-285.

<sup>5</sup> Ives, ed., *The Rich Papers*, 170-175.

Durham, he also wrote about what seems to be of much more concern than slaves planting their own tobacco – that white women were planting their own tobacco. He dedicates a lengthy portion of his letter to complain of Mr. Downum who “hath planted some tobacco, which he calles his wifes crop, and that belonges all to her use.”<sup>6</sup> It was of great concern to him that if this was allowed from Downum that it may become common practice on the island. He stated to Warwick that he would immediately be reporting Downum to the governor. While some concern was clearly expressed about slaves working on absentee owner’s land, again it was only a minor concern.

By the mid-1630s it was widely known that Warwick was Bermuda’s most prominent absentee landlord. In fact, it was so well known that Warwick had slaves on his land that were often idle, he received many requests to have his slaves hired out to work. On 29 July 1635, Warwick responded to Mr. Kersie’s request and from England wrote to his associate Hugh Wentworth to deliver “any young Negroes amongst my Tennente” to Mr. Kersie’s land.<sup>7</sup> Again, in a letter dated 26 April 1646, an anonymous author wrote to request the use of “a Negroe or two” to be utilized by a newlywed couple so “their lives become comfortable.”<sup>8</sup> The record remains unclear whether or not Warwick leased out his idle slaves for the newlyweds but the numerous letters sent to England for Warwick to request his slaves shows just how common it was for Warwick to be absent from his Bermuda landholdings.

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<sup>6</sup> Ives, ed., *The Rich Papers*, 172.

<sup>7</sup> Lefroy, ed., *Memorials*, 544.

<sup>8</sup> Ives, ed., *The Rich Papers*, 332.



While Warwick and his family were certainly the most well-known absentee landlords in early colonial Bermuda, they were by no means the only ones. It was common for Bermudian landowners to reside in England or other English colonies in the Atlantic World. Another landlord was Thomas Roe, the first ambassador of the East India Company. Roe owned a small plot of land in Bermuda that was managed by slaves and servants and, like Warwick, he was not there in person to oversee the land. In fact, Roe never stepped foot in Bermuda. Just as Warwick did, he trusted slaves and servants to farm his land and run his daily business.<sup>9</sup> For the small colony of Bermuda this was the norm; slaves were trusted by their owners who were often away in England or pursuing other maritime opportunities throughout the English Atlantic.

Thomas Roe and Warwick give a glimpse into what a landlord in early colonial Bermuda was like. By analyzing Virginian plantation owners during this same period, it is clear Bermudian landlords placed great trust in their slaves. Virginian landlords were rarely, if ever, absent from their land and simply did not trust their slaves in the same manner as they did in seventeenth century and early eighteenth century Bermuda. Virginian landlords also had to deal with larger numbers of slaves in Virginia. Virginia had far more arable land than Bermuda but tobacco plantations required a great deal of manual labor compared to the small farms and maritime operations in Bermuda. In fact, by 1676 Bermuda's governor, sir John Heydon called for a ban on any future importation of black and Indian slaves because of lack of demand.<sup>10</sup> By no means was this an attempt

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<sup>9</sup> Alison Games, *The Web of Empire: English Cosmopolitans in an Age of Expansion: 1560-1660* (Oxford: Oxford University Press, 2008), 156.

<sup>10</sup> Michael J Jarvis, "Maritime Masters and Seafaring Slaves in Bermuda, 1680-1783," *The William and Mary Quarterly* vol. 59, 3 (July, 2002): 590.

to rid the island of slavery. The market for slaves was flooded. This was at the same time Virginia imported slaves in large numbers. Yet these large numbers of slaves led to great distrust of slaves in Virginia.

William Byrd II, wrote to John Perceval expressing this distrust of slaves and his concern for the increasing number of slaves in Virginia at the beginning of the eighteenth century. He stated, with the continuation of importing slaves, Virginia “will some time or other be confirmed by the name of New Guinea” and claimed that there are “bad consequences of multiplying these Ethiopians amongst us.”<sup>11</sup> Furthermore, Byrd states that the increasing numbers of “these descendants of Ham” will “make them insolent” and would become a danger to “publick safety.”<sup>12</sup> It was this very attitude that was held amongst many Virginian landlords that led to the relatively harsh customs and strict slave laws when compared to early colonial Bermuda.

William Byrd’s father serves as another example of a Virginian resident-planter. By analyzing the constant correspondence in and out of Virginia it seems that, much like his son, William Byrd I was rarely absent from his home. No trust was put into the hands of his slaves and it is made clear that the daily business in buying and selling slaves, tobacco, and cotton for his land was controlled largely by him and supervised by Christian overseers.<sup>13</sup> In fact, Byrd I was so rarely absent from his home colony that from 1684 to 1703 he has at least one letter dated each year to or from him going in and out of

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<sup>11</sup> Marion Tinning, ed., *The Correspondence of the Three William Byrds of Westover, Virginia: 1684-1776* (Westover, VA: The University of Virginia Press, 1977), 487.

<sup>12</sup> Tinning, ed., *The Three William Byrds*, 488-489.

<sup>13</sup> Tinning, ed., *The Three William Byrds*, 15, 29, 58.

Virginia.<sup>14</sup> Some years he had as many as twenty or thirty letters coming in and out of Virginia. This string of letters continued throughout his son's life as well as his grandson's life, William Byrd III. Not only was it common in Virginia for a landlord to live permanently on their land, it was even common to see multiple generations of a family settle in Virginia.

The Byrds are very well-known and studied Virginian landlords because of their diaries and are valuable examples of landlords who lived in their colony and ran their own businesses. Another great example of such a landlord is the less well-known Robert Carter. Like the Byrds his family became multiple generation Virginian planters. Robert Carter's father owned and worked a plantation in Virginia which was passed down to him.<sup>15</sup> From his letters, it is clear that he lives on his plantation and runs the day to day operations there, from buying land and selling tobacco to fielding complaints about the quality of the tobacco.<sup>16</sup> The letters of Robert Carter only last for seven years but they give a glimpse into the life of a Virginian landholder. Most of his letters were sent and received from Rappahannock, Virginia.

Virginian landlords like Carter and the Byrds lived on their land and therefore did not have to trust their slaves to run their business. Furthermore, as the numbers of slaves began to increase at a drastic rate any remaining trust evaporated and many Virginian landlords began to outright fear their slaves while Bermudian landlords at the same time

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<sup>14</sup> Tinling, ed., *The Three William Byrds*, vii-xv.

<sup>15</sup> Louis B. Wright, ed., *Letters of Robert Carter, 1720-1727: The Commercial Interests of a Virginia Gentleman* (Westport, CT: Greenwood Press, Publishers, 1970), vii.

<sup>16</sup> Wright, ed., *Letter of Robert Carter*, 73. Robert Carter is fielding a complaint dated Feb. 13<sup>th</sup> 1720/1 of Mr. Micajah Perry about the quality of his tobacco he is selling. Carter claims his crop is both "choice and good" and claims that in every crop of tobacco some hogsheads will be "better and some worse."

had little choice but to trust their slaves to run their businesses. As tobacco in Bermuda began to fail and landlords often found themselves pursuing maritime business opportunities, their slaves were often left for extended periods of time on their master's land sometimes even living alongside the children and wives who were left at home. The level of trust was so high in Bermuda that in some cases slaves were allowed to join the white children in the same parish grammar schools.<sup>17</sup> By analyzing the customs and laws in colonial Bermuda and Virginia it becomes apparent that this difference in patterns of landholding had serious repercussions on the lives of the enslaved in their respective colonies.

Virginian landlords living amongst an increasing slave population began to trust them less and less. This lack of trust showed up in Virginia's colonial court records and laws. In a court case dated 24 March 1696/7 a complaint was put forth by Thomas Nutting about his neighbor, William Wise, who owned an adjacent plantation. In what was a rare occurrence, Wise had to leave his plantation for a short period and was unable to have someone watch over his slaves. This was completely unacceptable to his neighbor Nutting who promptly took him to court. The Virginia court found Wise guilty of placing "A Negro man named Robin upon a plantation" without a "Christian overseer to looke after him."<sup>18</sup> The act of leaving a slave unsupervised was common in late seventeenth century Bermuda while in Virginia it was a crime. Indeed, this was seen a very serious

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<sup>17</sup> Michael J. Jarvis, *In the Eye of All Trade: Bermuda, Bermudians, and the Maritime Atlantic World, 1680-1783* (University of North Carolina Press, 2010), 146.

<sup>18</sup> York County Deeds, Orders, and Wills. 10, 377. 24 March 1696.

infraction in Virginia; for his action of leaving Robin unattended on his plantation Wise was fined a hefty sum of 2000 pounds of tobacco by the court.<sup>19</sup>

The continued lack of trust that Virginian landlords had for their slaves led to the passage of many restrictive acts including those that barred a slave's freedom of movement. Slave owners in Virginia disliked slaves moving freely and feared what it may lead to. They feared it so much that in 1680 a law was passed in Virginia that made it illegal for any slave to be absent from his master with a punishment of whipping for any offending slave. The law went further and stated that any slave found resisting white authority would be killed.<sup>20</sup> The enslaved in 1680 Bermuda were often required by their masters to leave their land to carry on the daily business in the master's absence. In fact, there was no law similar in Bermuda to Virginia's 1680 law that restricted a slave's movement until the 1760s.<sup>21</sup>

Not only did the lack of trust from Virginia's landlords lead to restrictions on movement for slaves but it also led to a restriction on the freedom to trade. By the mid-1600s there was legislation in place in Virginia that disallowed trading with slaves. This attempt was made due to the fear of slaves gaining power through economic means.<sup>22</sup> This differed greatly from the slaves in Bermuda who were often allowed to work their

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<sup>19</sup> York County Deeds, Orders, and Wills. 10, 452. 24 August 1697.

<sup>20</sup> Warren M. Billings, ed., *The Old Dominion in the Seventeenth Century: A Documentary History of Virginia, 1606-1689* (Williamsburg: The University of North Carolina Press, 1975), 173.

<sup>21</sup> Cyril Outerbridge Packwood, *Chained on the Rock: Slavery In Bermuda* (New York: Eliseo Torres & Sons, 1975), 121.

<sup>22</sup> Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery in North America* (Cambridge: Harvard University Press, 1998), 35.

own crops and were free to travel the island to sell not only their master's goods but their own (see Chapter One).

Perhaps the most noticeable difference in customs and laws between early colonial Bermuda and Virginia would have been the practice of arming slaves. In what would have seemed like a surprising move in the Anglo-Atlantic world, Bermuda ruled as early as 1622 that slaves could be armed for purposes of militia and defense of the island.<sup>23</sup> In 1666 another order went even further and stated that all male slaves who were at least fourteen years of age were required to be armed and ready when the island's defensive alarm went off. This act was amended in 1673 to allow arms for slaves for purposes of on-island mutinies, not solely for the defense of the island.<sup>24</sup> By the early 1700s, it was still the custom in Bermuda to arm slaves and for soldiers to "bring their slaves and lances with them" and have them practice "together in their marchings and wheelings, [with] the Negroes having their lances shouldered."<sup>25</sup>

Armed slaves being allowed in the militia was necessary due to the large number of absentee landlords in Bermuda. Able-bodied men in Bermuda were so regularly off privateering, pirating, or pursuing other maritime occupations that there were simply not enough white men to fill out a militia or to defend the island without "employing our Negroes."<sup>26</sup> This issue did not exist with the resident landlords in Virginia. There were plenty of white males of age who were "very Skilful in the use of Fire-Arms, being all their Lives accustom'd to shoot in the Woods," by 1700 the number of militia was "2363

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<sup>23</sup> Lefroy, ed., *Memorials*, II, 242.

<sup>24</sup> Lefroy, ed., *Memorials*, II, 380.

<sup>25</sup> Calendar of State Papers, Colonial Series, America and West Indies, 1574-1733, vol 21, 630.

<sup>26</sup> Calendar of State Papers, Colonial Series, America and West Indies, 1574-1733, vol 13, 622.

Light-Horse, and 7159, Foot and Dragoons” which was enough to not have to put a reliance on their slaves.<sup>27</sup>

In Virginia, the slaves were not trusted to have arms and there was nothing like the shortage of able white men that made arming slaves a necessity. As early as 1640 it was enacted that all families be armed for purposes of defense but disallowed slaves from having arms.<sup>28</sup> By the late 1600s the laws in Virginia became much more specific on barring slaves from possessing arms. A June 1680 act made it illegal “for any negroe or other slave to carry or arme himselfe with any club, staffe, gunn, sword or any other weapon of defence or offence” and any slave found guilty would be subjected to lashes.<sup>29</sup> As the number of slaves continued to increase in Virginia the fear of the master-class increased. In 1694, governor Andros made a proclamation that reiterated the importance of the June 1680 act. In his proclamation, Andros requested that all Virginia landlords “take spetial care that the lawes concerning Negroes be fully & duly executed” and those slave owners ignoring the act would answer directly to him.<sup>30</sup>

Armed slaves would have been a bit of a shock to many Englishmen on the North American mainland. While armed slaves may have been a more common sight in the Spanish and Portuguese American colonies it was a rarity in the Anglo-American colonies. In Virginia, slaves and slave owners alike would be severely punished for allowing a slave to be armed, whereas in Bermuda during the same period it would not

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<sup>27</sup> Robert Beverley, *The History and Present State of Virginia* (Williamsburg, VA: University of North Carolina Press, 1947), 269.

<sup>28</sup> Billings, ed., *The Old Dominion*, 172.

<sup>29</sup> Billings, ed., *The Old Dominion*, 173.

<sup>30</sup> York County Deeds, Orders, and Wills, 20, 25 June 1694.

have been uncommon to see armed slaves and slaves drilling alongside white soldiers in the militia. Another surprising sight to a seventeenth century English traveler, though probably not as much of a shock as armed slaves, was the fact that many Bermudian slaves were literate.

Slaves obtaining literacy in Bermuda was also largely due to the phenomenon of absent landlords; not only did Bermudian landlords have a higher level of trust than Virginia landlords in their slaves to be unsupervised on their land, but they also found themselves often having to teach their slaves to read and write. As Bermudian landlords left for months, or even years at a time, they were often left with little option but to teach their slaves to read and write so they could continue the master's daily business in their absence. With a relatively small white population, having a white overseer or supervisor was not always an option. Furthermore, since slave children often grew up alongside white children, it was often deemed necessary to teach the slave basic literacy for purposes of bible reading. This was not the case in Virginia where landlords had little trust in their slaves and as landlords residing on the land did not have to teach them to read or write out of necessity.

As slaves were brought into Bermuda, before they were sold to a Bermudian landlord, they often spent time working under the control of the governor and the Somers Isles Company which held the royal charter for Bermuda. Even before being sold to their eventual owner the slaves held under the company were "trained upp in a Christian way."<sup>31</sup> The attitude in Virginia was completely different. In 1699, a colonial legislator in Virginia stated that slaves coming into the colony were rude, strange, and had "weakness

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<sup>31</sup> Lefroy, ed., *Memorials*, II, 56.



and shallowness of their minds” which made it “impossible to make any progress in their [Christian] conversion.”<sup>32</sup>

After slaves left the control of the company and were sold, slaves in Bermuda were given Christian instruction and taught to read the bible.<sup>33</sup> Again, this showed quite a high level of trust for Bermuda’s enslaved. Landlords understood that if slaves could read the Bible they could potentially read any book or pamphlet they could obtain. However, religious instruction was not the only reason the landlords in Bermuda often allowed their slaves to become literate.

Bermudian landlord Captain John Stowe was yet another of Bermuda’s absentee landlords. As a ship captain, he went on lengthy voyages away from his plot of land in Bermuda. Like many others, he taught his slave Ellicke the basics of Christianity but also claimed to teach Ellicke to read so that in his absence Ellicke could continue to be of some “use of the Colloney.”<sup>34</sup> Some Bermudian landlords went even further than Captain Stowe teaching his slave to read for business purposes; they taught their slaves how to write.

The ability of a slave in the Atlantic World during the seventeenth and early eighteenth century to write was quite unusual. The lack of records of slaves’ writing attests to this fact. However, a slave learning to write in Bermuda was not unheard of. In 1647, a slave was put to trial and could sign his name on the various documents.<sup>35</sup> Since

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<sup>32</sup> Philip A. Bruce, *Institutional History of Virginia in the Seventeenth Century*, (Literary Licensing, LLC, 2014), I: 9.

<sup>33</sup> Lefroy, ed., *Memorials*, 592.

<sup>34</sup> Lefroy, ed., *Memorials*, 645.

<sup>35</sup> Virginia Bernhard, *Slaves and Slaveholders in Bermuda, 1616-1782*. (Columbia: University of Missouri State Press, 1999), 68.

historical documents left from slaves are all too rare, historians and scholars often must use things such as the ability to sign documents as a way to prove at least a basic level of literacy. Perhaps the most dramatic example of Bermudian slaves learning to write involves the slaves of the infamous absentee Warwick.

Warwick owned several plots of land in Bermuda, yet was rarely present to run his own daily business. Instead of hiring a white overseer in his lengthy absences he put a great deal of trust in his slaves and left them on his property. This was not an uncommon practice; for slaves to truly be able to run his business while he was away it was necessary for them to learn to write. As early as 1640 it had become apparent that Warwick was teaching slaves to write and leaving them upon his land to run any day by day operations while he was away.<sup>36</sup> Not only were his slaves left unsupervised on his land but they also were left with the ability to read and write and conducted mercantile activities.

Virginian landlords typically lived on or near the land where their slaves resided. There was no necessity to teach their slaves to read and write to run their business for them. There is little evidence that slaves in the seventeenth and early eighteenth century Virginia were taught to read and write becoming merchants for their owners. Furthermore, while some Virginian slaves were brought up to be taught Christianity they were rarely taught to read the bible and baptisms, particularly in the seventeenth century, were not promoted.<sup>37</sup>

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<sup>36</sup> Lefroy, ed., *Memorials*, 381.

<sup>37</sup> Billings, ed., *The Old Dominion*, 173.

The relative level of trust that was built between Bermudian landlords and their slaves eventually led to landlords allowing slaves to have families, weddings (where they even provided assistance<sup>38</sup>), and led to a higher level of tolerance for miscegenation. With the growing numbers of slaves in Virginia it was feared that slaves having families and particularly the practice of miscegenation would lead to potential dishonor and a loss of Christianity in the colony and could even lead to an eventual loss of power.<sup>39</sup> This was not the case in seventeenth century Bermuda; due to the level of trust landlords had of their slaves it was the custom to allow and even promote slave marriage and families.<sup>40</sup> Perhaps the most noticeable difference in customs surrounding families was the tolerance of miscegenation in Bermuda and a complete lack thereof in Virginia.

While Bermudian landlords and lawmakers tolerated miscegenation until the eighteenth century, it was punished harshly in Virginia by the early seventeenth century. Not only was it tolerated in Bermuda but there were examples of interracial marriages in Bermuda as early as 1621.<sup>41</sup> In complete contrast to the custom in Bermuda, a Virginia court ruled on 17 September 1630 that slave owner Hugh Davis was to be punished by being “soundly whipped” for having a relationship with his slave. The court stated that he was “defiling his body in lying with a negro” and expressed the fear shared by many

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<sup>38</sup> Bernhard, *Slaves and Slaveholder*, 72.

<sup>39</sup> Philip D. Morgan, *Slave Counterpoint: Black Culture in the Eighteenth Century Chesapeake and Lowcountry* (The University of North Carolina Press, 1998), 15.

<sup>40</sup> Bernhard, *Slaves and Slaveholders*, 54.

<sup>41</sup> Bernhard, *Slaves and Slaveholders*, 11.

Virginian landlords, a loss of Christian morals.<sup>42</sup> The court's punishment was due to Davis' apparent dishonor to God and to the Christian church.

In another Virginia court case dated ten years later, Robert Sweat was found guilty of committing fornication with his slave. Instead of the physical punishment that was given to Davis, Sweat was ordered by the court to "do public penance for his offence at James city church."<sup>43</sup> Exactly what his penance was remains unclear by the records, whether it simply a public confession or another form of punishment is unknown. However, it is telling that Sweat's punishment was to be performed in front of the James City Church. Much like Davis, Virginians saw his act as a dishonor to Christianity.

Like Davis and Sweat before him, William Watts was punished by the courts in Lower Norfolk County, Virginia in 1649 for his relationship with his slave Mary. Watts was ordered to stand with Mary in front of the congregation with "a white sheete with a white Rodd in their hands" to punish him publicly.<sup>44</sup> The court made him do this in front of the church congregation, because just as was the case with Davis and Sweat, Hugh's actions were seen as an act against God.

There was no set punishment for miscegenation in early colonial Virginia, but there certainly were punishments for those found guilty. This held true for both white men and white women; the slaves involved were also often punished by the courts as well. In 1681, a Virginia court ruled in a case against Mary Williamson and the slave William who she had a relationship with. The court determined that for "the filthy sin of

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<sup>42</sup> Billings, ed., *The Old Dominion*, 160-161.

<sup>43</sup> William Waller Hening, ed., *The Statutes at Large: Being a Collection of All Laws of Virginia, from the First Session of the Legislature* (New York: R & W & G Bartow, 1823), 552.

<sup>44</sup> Billings, ed., *The Old Dominion*, 161.

fornication with William a negro,” Williamson would “bee fined five hundred pounds of tobacco and Caske.” The court went further and punished the slave William, who was ordered into “Custody and give him thirty Lashes on his bare back.”<sup>45</sup>

Bermudian landlords’ toleration of miscegenation and the lack thereof for Virginia’s landlords led to a difference in the laws and customs when it came to the status of slave’s children. Children born to slaves in seventeenth-century Bermuda were not by law born as slaves. Slave children’s status was decided there on a case by case basis. Since there was no concrete law in place, the Bermudian courts had a wide range of rulings; many of these children were granted their freedom or given an indenture which would grant them their freedom after the indenture was served. In seventeenth century Virginia, this was far from the case. Not only was it put into law that children born to a slave woman were to be enslaved, but if the father of the slave was white, then he would be given a fine by the court. Even before it was put into law, it was the custom in Virginia that “Slaves are the Negroes, and their Posterity, following the condition of the Mother...They are call’d Slaves in respect of the time of their Servitude, because it is for life.”<sup>46</sup>

By the middle of the seventeenth century, Virginian lawmakers had put into effect “An act defining the status of mulatto bastards.”<sup>47</sup> This act put into law what was already the custom in Virginia; children born to slaves would become slaves themselves. Furthermore, the act made it a finable offence for any Christian who commits

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<sup>45</sup> Billings, ed., *The Old Dominion*, 161.

<sup>46</sup> Beverley, *The History and Present State of Virginia*, 271.

<sup>47</sup> Billings, ed., *The Old Dominion*, 172.

“Fornication with a negro man or woman.”<sup>48</sup> It was already the custom to enslave children born of slaves and it was already a finable offence to have relationships with slaves; however, this act turned custom into law and greatly increased the fine for miscegenation.

An example of the act that defined the “status of mulatto bastards” occurred in 1689. A white woman named Rebecca Corney was found guilty by the courts of “having a Mulatto bastard.” Corney was not a respectable planter; rather, she was a white servant to plantation owner John Baxter. Corney’s mixed race child was put into slavery and she was ordered by the court to pay a fine. On top of losing her child and having to pay her fine, she also had to reimburse Baxter for the time that was lost due to her pregnancy.<sup>49</sup>

By the late seventeenth century, Virginia landlords and lawmakers were still concerned with the issue of miscegenation. They referred to race mixing as an “abominable mixture and spurious issue.”<sup>50</sup> Under the new Virginian laws those found guilty could face potential banishment from the colony depending on the court’s ruling. This legislation was all due to the fear that Virginians had of losing any power or potentially dishonoring God and the Christian church.

Bermudians in the seventeenth century simply did not fear slaves gaining power or a loss of Christian morals as they did in Virginia; out of necessity they had built a level of trust that was quite rare amongst those residing in Virginia. From the early seventeenth century, it was clear that Bermuda was going to have significantly less harsh customs

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<sup>48</sup> Billings, ed., *The Old Dominion*, 172.

<sup>49</sup> Billings, ed., *The Old Dominion*, 163.

<sup>50</sup> Morgan, *Slave Counterpoint*, 15.

when it came to the status of children born to a slave. In October of 1631, the Bermudian courts ruled in the case of a child born to two slaves of Bermudian landlord John Crafte. In what became a fairly common ruling, the court decided that the child would be indentured and “bee sett at liberty and made a freeman when he cometh vnto the age of thirty yeares.”<sup>51</sup> Lawmakers in Bermuda never put into law what the status of mixed race children or children of slaves would become. However, after analyzing many cases, there was a noticeable difference in the leniency in Bermuda when compared to the strict customs and laws of Virginia.

Another case showing the relative leniency given to slave children in colonial Bermuda was the case of Henry Tucker. The case was dated “ffebruarij [February] 1648/9” and was to determine the fate of a child who was the “sonne of ould Saunders a negroe.” The record remains unclear whether the mother was a white woman or a slave. The court ruled that the son of Saunders would be put to work until “the said child attain to the age of twentie yeares.”<sup>52</sup> Time and again, throughout the seventeenth century and into the eighteenth, Bermudian courts ruled that children of slaves were not to be enslaved for life. This was a stark contrast to Virginia where not only was it customary to enslave the children of slaves, but it was put into law by the mid-seventeenth century.

Bermudian slaves in the seventeenth and early eighteenth century were trusted enough by their landlords to run their business, learn to read, and allowed to have some semblance of a family. In Virginia, landlords distrusted their slaves and saw them simply as the “cheapest instruments for the plantations that can be” and were not safe to be left

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<sup>51</sup> Lefroy, ed., *Memorials*, 526.

<sup>52</sup> Lefroy, ed., *Memorials*, 645.

alone without a Christian overseer.<sup>53</sup> This was the common practice in Bermuda where there was little worry amongst landlords about leaving slaves unsupervised on plantations.

Slaves learning to read, learning to run businesses, and being allowed a family not only shows a high level of trust for slaves in Bermuda but also shows how race relations changed over time and how during the 1600s there was more fluidity of racial categories. During the early 1600s there were black slaves, white slaves, and Indian slaves in Bermuda. Furthermore, there was a large free black population residing there. By the 1700s, as racial categories became less fluid and slavery became race-based, this began to change. Free blacks were restricted from coming to the Island with a 1674 act and importing Indians to the island was banned in 1676. By 1730, Bermuda had banned all free blacks and Indians from the island and any free blacks who already resided there were ordered to be deported.<sup>54</sup>

The higher level of trust given to their slaves had quite the impact in Bermuda. Many slaves in Bermuda got married and had families. They had children with other slaves as well as with white Bermudians. Due to this, there was a natural increase of slaves that was virtually unheard of in the colonial Anglo-Atlantic world.<sup>55</sup> It was largely due to this natural increase that brought about the 1676 Bermudian law (as was mentioned earlier in the chapter) that barred the further importation of slaves to the island, the natural increase was enough to fill the demand for slaves.

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<sup>53</sup> Brown, ed., *The First Republic in America*, 326.

<sup>54</sup> Bernhard, *Slaves and Slaveholders*, 212.

<sup>55</sup> Jarvis, *In the Eye of All Trade*, 29.



## CHAPTER IV

## POST 1720: THE STANDARDIZATION OF BERMUDIAN SLAVE LAW

The difference in resident or absentee landlords, as well as the type of labor that was demanded of slaves, had a huge impact on creating the differentiation between slave customs and laws between seventeenth- and early eighteenth-century Bermuda and Virginia. This differentiation had a huge effect on Bermudian slaves. Slaves in Bermuda were trusted at a much higher level than in Virginia during this period. Bermudians had customs and laws that allowed slaves to be unsupervised on plantations, gave them the opportunity to become literate, allowed them to have greater freedom to develop autonomous families, gave them far less harsh punishments, tolerated miscegenation, and had several other effects that were virtually unheard of in Virginia. This held true from the very early years of slavery in the colonies in the early 1600s and continued through the first few decades of the 1700s. However, for Bermudians, the relatively lax slave laws and customs would quickly come to an end following a series of events starting in the 1720s. After this point, Bermuda would experience a standardization of slave law; their laws became increasingly strict and began to resemble what had been occurring in Virginia and many of the colonies in the Anglo-Atlantic World for the past century.<sup>1</sup>

Starting at the very end of the seventeenth century and continuing into the eighteenth century, there was a string of slave conspiracies and rebellions that shook the Atlantic World. There had previously been some sporadic conspiracy plots discovered in

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<sup>1</sup> Steven Sarson, *British America 1500-1800: Creating Colonies. Imagining an Empire* (New York: Oxford University Press, 2005), 75; Philip D. Morgan, *Slave Counterpoint: Black Culture in the Eighteenth Century Chesapeake and Lowcountry* (The University of North Carolina Press, 1998), 16; John Thornton, *Africa and Africans in the Making of the Atlantic World, 1400-1800* (New York: Cambridge University Press, 1998), 146-147. Historians Sarson, Morgan, Thornton, and many others have pointed to the strict laws and customs in the seventeenth and early eighteenth century in Barbados, Jamaica, South Carolina, and many other English colonies throughout the Atlantic World.

the seventeenth century, but by the turn of the century these plots and rebellions increased at an alarming rate with the maturing of the slave system. The conspiracies were not only increasing in frequency but also increasing in size and scope. Many of the conspiracies that were discovered during this era involved hundreds or even thousands of slaves, whereas the plots discovered during the previous era, with just a couple exceptions, were much smaller. The slave societies of the 1700s were simply much larger than those in the 1600s, more slaves living in close quarters led to a large increase in conspiracy plots.

One example of the increase in rebellions and conspiracies was in the English colony of Barbados. In 1692, slave owners in Barbados discovered a conspiracy plot against them that included as many as 4000 slaves. About 400 of the accused slaves were executed for their involvement in the plot that was designed to kill all masters and effectively take over the island. In 1701, the island experienced another small conspiracy and yet another large one in 1736.<sup>2</sup> This was not unique to Barbados by any means; slave conspiracies were increasing in numbers all throughout the Atlantic World.

Jamaica also experienced an increase in dramatic rebellions and conspiracies. In fact, the situation had gotten so bad there that there was a perpetual war going on from 1700-1722 between the British colonials and maroons.<sup>3</sup> Runaways, conspiracies, and rebellions were all seen in increased numbers in Jamaica starting in the 1700s. For Jamaica, like so many other colonies in the Atlantic World, there was an increase in slave rebellion activity throughout the eighteenth century.

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<sup>2</sup> Sarson, *British America, 1500-1800*, 117.

<sup>3</sup> Sarson, *British American, 1500-1800*, 117.

The 1730s was a particularly turbulent decade for those residing in slave societies throughout the Atlantic. In 1730, there were major slave rebellions in South Carolina, Virginia, and Louisiana where there was another major plot in 1732. The year 1733 saw rebellions in Jamaica, South Carolina, St. John, and in the Dutch Guiana. From 1734 until the end of the decade there were conspiracies discovered in Anguilla, Antigua, St. Bartholomew, Guadeloupe, St. Martins, Charleston, Maryland, and the massive Stono rebellion in South Carolina to name just a few.<sup>4</sup> The conspiracies and rebellions of the late 1600s and early 1700s were on a scale and with a frequency that had not been experienced before in the slave societies throughout the Atlantic.

This huge increase in rebellions had quite the impact on the small island of Bermuda and was the beginning of the end for the lax slave laws and customs that existed during the seventeenth century. Slaves throughout the Atlantic World were experiencing what historians Markus Rediker and Peter Linebaugh refer to as the “Spirit of Liberty.”<sup>5</sup> News spread relatively quickly throughout the Atlantic World and news of these rebellions was no different. As slave societies heard of the massive uprisings in places such as South Carolina and Jamaica, they felt the “Spirit of Liberty” and yearned for freedom for themselves. Rediker and Linebaugh state that “almost all slave societies of the Americas” felt the “Spirit of Liberty” in the early eighteenth century.<sup>6</sup> By analyzing the events in Bermuda following the turn of the century it is clear that slaves in Bermuda had certainly felt the “Spirit of Liberty.”

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<sup>4</sup> Peter Linebaugh and Markus Rediker, *The Many Headed Hydra: Sailors, Slaves, Commoners, and the Hidden History of the Revolutionary Atlantic* (Beacon Press, 2013), 194, 200.

<sup>5</sup> Linebaugh, *The Many Headed Hydra*, 200.

<sup>6</sup> Linebaugh, *The Many Headed Hydra*, 194.

Though Bermuda was geographically isolated, it is not particularly surprising they heard of rebellions throughout the Atlantic World and the “Spirit of Liberty” which was spreading amongst slave societies. Historian Jeffrey Bolster argues in *Black Jacks: African American Seamen in the Age of Sail* that the entirety of the Atlantic was interconnected and news spread quite freely from plantation to ship and ship to plantation.<sup>7</sup> Furthermore, Bolster argues that enslaved mariners, such as those residing in Bermuda, were particularly well-informed and were the very reason that the Atlantic was so interconnected. Enslaved mariners were also largely the reason ideas and information spread so easily and freely throughout the Atlantic.<sup>8</sup>

As Bermuda turned more toward a maritime community, it became a hub for news and information. The isolation of Bermuda was nothing more than geographic isolation. Socially, culturally, and economically they were not isolated from the rest of the Atlantic. From the metropole in London to the Caribbean colonies, Bermuda remained informed of the news and ideas that were spreading throughout the Atlantic. As sailors, Bermudians constantly “crossed cultural and geographic boundaries” as they sailed from port to port.<sup>9</sup> Due to their constant maritime pursuits, Bermudians became one of the most informed English colonies in the Atlantic.

Another cause of the increase of rebellions was due to the breakdown of race relations that was occurring in Bermuda and throughout the Atlantic. Slavery had become a race based institution and the chance for a Bermudian slave to be granted their freedom

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<sup>7</sup> W. Jeffrey Bolster, *Black Jacks: African American Seamen in the Age of Sail*, (Harvard University Press, 1997), 10.

<sup>8</sup> Bolster, *Black Jacks*, 19-20.

<sup>9</sup> Bolster, *Black Jacks*, 35.

had dwindled. Prior to the 1700s, earning freedom in Bermuda was not uncommon. Such was the case with Thomas Hutchins slave who earned his freedom in 1662 and John Wells' slave who was able to purchase her freedom in 1683.<sup>10</sup> Wells' and Hutchins' slaves earning their freedom in the 1600s was not an uncommon occurrence. However, by the 1700s, as racial categories became less fluid and slavery became race based the avenues to freedom became virtually non-existent in Bermuda. The "Spirit of Liberty" that was felt in Bermuda, coupled with the worsening race relations and inability to earn their freedom caused many slaves residing in Bermuda to have the desire to rebel.

While the 1730s saw a noticeable increase in rebellion and conspiracy plots throughout the Atlantic World, rebellions did occur prior to this (such as the late 1600s rebellions in Virginia that were discussed in Chapter One), but they had been a bit more sporadic. This was hardly the case for Bermuda; in the 1600s there was only one sizable conspiracy plot discovered and no action was taken by the slaves as the plot was discovered before they could act. This occurred in 1656 and only ten slaves were involved in the plot.<sup>11</sup> There was virtually no fear amongst slave owners in Bermuda that their slaves would revolt or conspire against them until the early 1700s.<sup>12</sup>

Slaves residing in Bermuda in the early eighteenth century began to feel the "Spirit of Liberty" and the first large slave uprising plot was discovered. Governor Benjamin Bennett felt that the slaves had "grown soe very impudent and insulting of late

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<sup>10</sup> Cyril Outerbridge Packwood, *Chained on the Rock: Slavery In Bermuda* (New York: Eliseo Torres & Sons, 1975), 163-168.

<sup>11</sup> Virginia Bernhard, *Slaves and Slaveholders in Bermuda, 1616-1782*. (Columbia: University of Missouri Press, 1999), 83-84.

<sup>12</sup> Mark G. Hanna, *Pirate Nests and the Rise of the British Empire, 1570-1740* (The University of North Carolina Press, 2015), 356.

that we have reason to suspect their rising.”<sup>13</sup> While no one was found guilty or arrested for the suspected uprising the statements by the governor showed a fear of the slaves that simply did not exist amongst previous colonial governors. It was not long after the worried statement by the governor that Bermudian slaves began to act and rebel against their owners.

In 1720, slaves in Bermuda began to rebel by attempting to poison their masters. In fact, it became such a common practice that many masters would force a slave to sample all their food and drink that was prepared for them before eating it. Many of the poisoning attempts were successful and many white masters were killed. A report written to the governor stated that Bermudian slaves had “destroyed many of H.M. subjects by poyson.”<sup>14</sup> Slaves were punished when found guilty, but obtaining evidence in cases of poisoning was very difficult. Due to the varied level of success of the poisoning plots, whites feared that slaves would continue poisoning their masters at a rate that was extremely alarming to the white colonists.

By 1730 there had been multiple attempts by slaves to poison their master; poisoning became the most popular form of resistance for slaves in Bermuda. A large plot was discovered in 1729 and many who were found guilty were banished from the island. Just the following year, a mixed raced woman, Sarah (often referred to as Sally) Bassett conspired to poison her master in what would become a well-known case throughout the island. She successfully poisoned him. She was found guilty by the court and was ordered to be put to death. Since the fear of poisoning was at an all-time high in

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<sup>13</sup> Calendar of State Papers, Colonial Series, America and West Indies, 1574-1733, vol 30, 261.

<sup>14</sup> Calendar of State Papers, Colonial Series, America and West Indies, 1574-1733, vol 38, 354.

Bermuda the courts decided to make an example of Bassett. They ordered her to be executed publicly by being burned at the stake. As the case became publicized, many whites fled the island and relocated out of fear for their lives.<sup>15</sup>

Slave rebellions in Bermuda continued through the 1700s and while poisoning was the most common form of rebelling, it was by no means the only form. In 1730, Bermudians heard of a large slave rebellion that broke out in the Bahamas. English forces were requested from throughout the Atlantic World and many soldiers and slaves' masters from Bermuda were called to help put down the Bahamian rebellion. Bermudian slaves were aware of what was happening and took advantage of the fact that many of the island's defenders had gone to the Bahamas. Bermudian slaves planned to revolt against the remaining masters and hoped to take over the island. However, even with diminished forces, the plot was discovered and the ringleader captured and sentenced to death.<sup>16</sup> The executions of Bassett and the ringleader of the 1730 rebellion showed a clear change of slave customs occurring in Bermuda; unlike many Atlantic World colonies, executions were rare prior to this.

As plots continued, both masters and slaves were being poisoned, executed, being banished, or fleeing the island. The record indicates that for the first time the population in Bermuda decreased in the year 1731, prior to this there had always been a steady annual increase. Slaves were no longer being imported onto the island and the natural increase that had made the population increase for so many years could not keep up with

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<sup>15</sup> Calendar of State Papers, vol 37, 45.

<sup>16</sup> Terry Tucker, *Bermuda Today and Yesterday, 1503-1973* (New York: St. Martin's Press, Inc., 1975), 88-89.

the number of slaves being deported or executed. In the span of just two years the population had dropped by over 1100 combined whites and slaves.<sup>17</sup>

The largest slave conspiracy ever discovered in Bermuda occurred in 1761. Slave owner John Vickers overheard several slaves planning a rebellion. He overheard them state that the slaves would either gain a “great victory gained here soon, or if not; one half, or two thirds of the Negroes will be hanged in Bermuda.”<sup>18</sup> For the slave masters, Vickers overhearing the plot was a very fortunate occurrence. The masters could uncover the plan which called for all slaves, both women and men, to turn against their owners and kill them in their sleep.

Bermuda’s white population was fast to act after the 1761 plot was discovered. They offered a 100-pound reward to any whites who could inform against any “Negroes, Muloettoes, or others” who were involved with the plot. Furthermore, the governor offered “an Act of manumission” for any slaves who were willing to be their informer.<sup>19</sup> Only a few slaves came forward but it was enough to discover the ringleaders of the plot and several others who were involved. Those involved were executed for their actions; however, it remains unclear exactly how many were executed for their involvement, though it was estimated that as many as 600 to 700 Bermudian slaves were involved.<sup>20</sup>

The series of events that unfolded in Bermuda in the early 1700s and particularly by the 1730s was what put an end to the relatively lax slave law and customs that existed in Bermuda for nearly a century. The level of trust that had been built between slave and

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<sup>17</sup> Calendar of State Papers, vol 38, 189.

<sup>18</sup> Packwood, *Chained on the Rock*, 149.

<sup>19</sup> Packwood, *Chained on the Rock*, 149-151.

<sup>20</sup> Tucker, *Bermuda Today and Yesterday*, 89-90.



slave owner in Bermuda diminished quickly after slave rebellions, poisoning, and conspiracy plots became common occurrence on the island. As these events unfolded in Bermuda, the colonial government was quick to act and put into effect a series of strict slave laws and regulations that began the process of standardization. The unique situation in Bermuda began to resemble the situation in Virginia and other English colonies in the Atlantic.

As attempts to poison masters increased, the colonial government began to put restrictions on slaves. One of the first things they did was bar slaves from acquiring alcohol. It was felt that slaves drinking rum, which was commonly available in Bermuda due to trade with the West Indies, as well as the “berry beer” that was made on the island, had been part of the issue. In 1722, the colonial legislature passed an act that disallowed the sale of alcohol to any slaves. This act was meant to put in check the “prevailing vice of drunkenness among the Negroes.”<sup>21</sup> This act clearly did not have the intended desire; slaves continued to poison their masters and conspire against them in increasing numbers following the 1722 act.

Two years after the 1722 act that barred slaves from acquiring alcohol, the colonial legislature passed an act, on January 1724, that disallowed slaves from carrying sticks and canes while they were not under their master’s supervision. Unsupervised slaves were once of little concern in Bermuda; however, as the relationship between slaves and masters deteriorated, it became a major concern. Slaves who were found guilty

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<sup>21</sup> Lefroy, ed., *Memorials*, 688.

were subjected to whippings and the owner of the guilty slave could be fined ten shillings.<sup>22</sup>

Due to the increased attempts to poison their masters or plans to conspire against them, the colonial legislature continued to implement stricter slave regulations. In 1729, the legislature passed an act that stated if a slave was to become “insolent” or “arrogant” they would be subject to deportation. Furthermore, this act increased the tax that masters had to pay for their slaves to limit the number of slaves on the island. Each slave owner had to pay six pence for each slave they owned annually. This was not only to discourage any further importation to the island, but also was an attempt to have slave owners decrease the number of slaves that already reside on the island.<sup>23</sup> While deportation was common practice in the Caribbean and throughout the Atlantic World it was, until this point, a very uncommon practice in Bermuda. In fact, up until the 1700s, Bermuda was a common location for slaves from around the Atlantic World who were found guilty of conspiring against their masters.

Another act was passed in 1729 that put further restrictions on Bermudian slaves. The act prevented whites from allowing any slaves to meet at “unreasonable times,” meaning after sunset. There was concern that slaves were “rioting and dancing” at night and conspiring together against their masters. The act put a forty shilling fine on any whites who allowed such meetings. Furthermore, the act stated that all slaves involved in such meetings would be subjected to whipping at the “discretion of the justice of

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<sup>22</sup> Packwood, *Chained on the Rock*, 121-122.

<sup>23</sup> Packwood, *Chained on the Rock*, 77.

peace.”<sup>24</sup> The restrictive acts on slaves during the 1720s in Bermuda had little effect in stopping slaves from conspiring and poisoning their masters, as the situation became worse and fear of slave rebellion only heightened in the 1730s.

In 1730, after the famous poisoning case of Sarah Bassett was discovered, the act “for the further and better regulating Negroes and other Slaves” was put into effect. This act allowed the colonial courts to have quick trials and sentencings for any slave who was thought to be a poisoner. That same year the Bermudian grand jury made a statement that the slaves found guilty would be given the “most severe punishment” to “prevent the spreading of that secret and barbarous way of murdering.”<sup>25</sup> Unlike Virginia in the 1600s, “severe punishment” was uncommon in Bermuda and occurred only in isolated incidences.

The standardization of law in Bermuda continued through the mid-1700s. By the 1750s the Bermudian government had put acts into place that effectively barred slaves from carrying any type of arms.<sup>26</sup> The ability of slaves in Bermuda to freely carry arms was once a unique situation when compared to other English colonies such as Virginia but was deemed to be too dangerous by mid-eighteenth century. Furthermore, an act was put into place that no longer called for slaves to be involved in the militia. Even though the island still had a relatively small population for purposes of defense, it was believed by this time that there was a higher risk from slaves within the island than from an outside intruder. The act “for the regulating the militia of these his Majesties Islands of

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<sup>24</sup> Packwood, *Chained on the Rock*, 122.

<sup>25</sup> Packwood, *Chained on the Rock*, 146.

<sup>26</sup> Tucker, *Bermuda Today and Yesterday*, 89-90.

Bermuda” was put into effect in 1758. The sole exception for slaves being allowed back in the militia was if Bermuda was at war.<sup>27</sup>

The acts and restrictions put on slaves in Bermuda starting in the 1720s was just the start of the standardization of slave law and customs in Bermuda. After the massive conspiracy plot of 1761 was discovered, the government quickly put into effect a series of restrictive acts. One such act was “for the better regulating and laying down a method for the freeing of slaves and for the better regulating of them for the future.”<sup>28</sup> This act required freed slaves to be banished from the island. It was feared that freed slaves would give aide and perhaps provide a meeting place for rebellious slaves.

The situation in 1761 Bermuda had become so tense due to the uncovered conspiracy plot that the colonial government enforced martial law almost immediately after. The act for “better enforcing Martial Law in the Islands of Bermuda” as well as the act for “speedy trials” were put in place to deal with the conspirers and to deal with “other atrocious crimes with an intent to take away the Lives of the White Inhabitants of these Islands.”<sup>29</sup> The governor at the time, William Pople, also put in place an embargo to make sure that none of the guilty conspirers could flee the island. Martial law had an impact on all slaves in Bermuda whether they were guilty members of the conspiracy or not. The martial law and the embargo were removed the next year after the trials for the conspiracy plot had finished; it became apparent that martial law was not only affecting the slaves on the island but had an adverse effect on slave owners as well.<sup>30</sup>

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<sup>27</sup> Packwood, *Chained on the Rock*, 126.

<sup>28</sup> Packwood, *Chained on the Rock*, 78-79.

<sup>29</sup> Packwood, *Chained on the Rock*, 152.

<sup>30</sup> Packwood, *Chained on the Rock*, 153.

With the negative effect that martial law had on the white inhabitants of the island, the governor was willing to remove it upon completion of the 1761 conspiracy trials. However, the government in Bermuda was only willing to get rid of martial law with the enactment of a series of laws that were designed to restrict and control the island's slave population. In March 1762, martial law and the embargo were removed and a series of acts were put into place the same month.

One of the 1762 acts ordered that each parish on the island was to have "one or more Watches" constantly on duty. Not only was slave movement restricted but there was now a designated watch to ensure that slaves were not unsupervised on the island. The larger parishes such as Warwick, Hamilton, and St. George's required as many as six or more watchmen constantly on duty. The watchmen were given a great deal of power over the slaves residing within the parish they were watching. They could "search all Negroes cabbins, and other suspected places of their resort" and were allowed to "break open the doors of any Negroes cabbins."<sup>31</sup> The trust and lack of fear that existed between owner and slave in Bermuda throughout the 1600s simply no longer existed.

Another law enacted in 1762 stated that if a slave was to be discovered while unsupervised at night, they would be arrested and punished by the parish court they were discovered in. The extent of the punishment was up to the court, and said punishment would be "inflicted by a white person." Moreover, the owner of the guilty slave would be ordered to pay a fine of "one shilling and four pence."<sup>32</sup> To discourage the movement of slaves about the island, it was now commonplace to punish both slave and slave owner.

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<sup>31</sup> Bermuda Journal of Assembly, 1762, 167. Reprinted in Packwood, *Chained on a Rock*, 153.

<sup>32</sup> Bermuda Journal of Assembly, 1762, 167-169. Reprinted in Packwood, *Chained on a Rock*, 154.

Not only were Bermudian slaves given tighter restrictions during the 1700s, but the types of punishment given to slaves also changed drastically. Bermudian slaves were now ordered to “immediately fall on his knees” if met by any white person at night. If they did not or if they showed any sign of resistance they would be subjected to the brutal punishment of “one hundred lashes by order of the justice of the peace.”<sup>33</sup> The records indicate that punishment of this severity was almost unheard of in Bermuda in the seventeenth century and only occurred in isolated incidences.

Another effect the 1761 rebellion had in Bermuda was the mass executions that occurred afterwards. The trial was set for the following year and the records indicate that at least six slaves were executed for their involvement in the plot (though it remains unclear exactly how many were executed).<sup>34</sup> This execution of slaves had gone against what was previously customary in Bermuda. Prior to this only a few slaves had ever been executed in Bermuda, such as Bassett and a few others in isolated incidences. The mass execution of slaves for being involved in conspiracy plots had previously been unheard of in Bermuda. Slaves had been deported or put in jail for various plots, but until this point there had been no mass executions on the island.

It became clear that by the eighteenth century the slave laws and customs in Bermuda had become increasingly strict, largely due to the increase in rebellion and conspiracies in Bermuda and throughout the Atlantic World. Many other colonies residing in the Atlantic World also felt this change and tightening up of slave laws. While these colonies certainly did not share the same unique situation that Bermudians had,

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<sup>33</sup> Bermuda Journal of Assembly, 1762, 167-169. Reprinted in Packwood, *Chained on a Rock*, 154.

<sup>34</sup> Packwood, *Chained on a Rock*, 155-156.

many of them did experience their slave laws becoming stricter starting in the early 1700s. For instance, as slave revolts increased in numbers, New York implemented a strict new slave code in 1702 that was expanded upon in 1708, 1709, and 1712. These strict slave laws were in New York were met with limited success as a large slave revolt broke out in 1712 which led to nine whites being killed and the eventual execution of twenty-five slaves. After this occurred, but New York and New Jersey passed several laws putting restrictions on slaves.<sup>35</sup>

African slaves arrived in Bermuda before any other English colony in the Atlantic World, though just a few years before Virginia. It was clear that by the mid seventeenth century that Bermuda and Virginia had very different slave laws and customs. Slaves residing in Bermuda had relatively lax customs and laws when compared to Virginia. This was due, in part, to the difference in labor that was performed in the colonies. While slaves in Virginia were given the backbreaking task of labor on tobacco plantations, slaves in Bermuda often worked in maritime occupations such as shipbuilders or sailors. Bermudian slaves also found themselves doing household work and working in small gardens at a higher rate than in Virginia.

The other variable that led to the lax Bermudian slave laws and customs was the commonality of absentee landlords in Bermuda. Virginia was a settler colony where colonists purchased land and intended to live out their lives there. This was not the case in Bermuda; Bermudian landlords often purchased land fully intending to have slaves and servants run their business in their absence. In fact, some Bermudian landlords never so

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<sup>35</sup> Mark G. Hanna, *Pirate Nests and the Rise of the British Empire, 1570-1740* (Chapel Hill: University of North Carolina Press, 2015), 356-357.

much as set foot on their land in Bermuda. Bermuda's landlords simply wanted to extract resources from Bermuda and use it as a shipping hub.

The relatively lax customs and laws in early colonial Bermuda lasted nearly a century and were a direct result of their absentee landlords and the unique type of work that was performed by the slaves. However, this all came to an end starting in the early eighteenth century with conspiracies and rebellions occurring throughout the Atlantic as well as a series of poisoning attempts in Bermuda. By mid-century, Bermuda's poisoning attempts had continued and the "Spirit of Liberty" swept through Bermuda and slave conspiracies began to occur on levels that had previously been unknown to Bermuda. After the major plot to revolt in Bermuda was discovered in 1761, any remaining trust that had been built between slaves and slave owners was gone and the standardization of slave laws and customs in Bermuda was complete by the following year.



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