

States.⁷⁹ New England may never have been a slave society in the conventional sense of the term. But trade with slave-based economies, whether within or outside the British Empire, evidently played a far more significant role in promoting the growth of wealth in late colonial and early national New England than Frederick Douglass's impressions of New Bedford and some historians' studies of the region's eighteenth-century trade led them to believe.

⁷⁹ G. C. Bjork, *Stagnation and Growth in the American Economy, 1784–92* (New York, 1985), pp. 31–7, 86–9. Bjork's evidence is largely confined to Massachusetts; for evidence on trade levels and per capita exports for other New England states after 1783, see J. F. Shepherd and G. M. Walton, "Economic Change After the American Revolution: Pre- and Post-War Comparisons of Maritime Shipping and Trade," *Explorations in Economic History*, Vol. 13 (1976), p. 413; Shepherd, pp. 25–9. A further boost to New England trade with slave-based economies in the New World came after 1793, when with the outbreak of war in Europe, North Americans became major carriers of goods between the European powers and their colonies in America. D. C. North, *Economic Growth of the United States, 1790–1860* (New York, 1962), pp. 38–45.

CHAPTER 11

Economic aspects of the growth of slavery in the seventeenth-century Chesapeake

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THE 169 years that elapsed between the establishment of the first successful English settlement in North America and the declaration by the American settlers of their independence from Great Britain witnessed many dramatic changes and momentous developments in the colonies that stretched from the Chesapeake Bay to the South. The harsh demographic regime of the early settlements, which caused negative rates of natural increase in the Chesapeake during much of the seventeenth century, was transformed over time, eventually producing rapid population growth in the southern colonies and life expectancies as great as those of the English population of the day.¹ Material life in the early southern colonies was meager; even well-to-do planters in the mid-seventeenth century lived in crude wooden houses with plain furnishings and few luxuries. However, the next

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¹ On the early mortality, see Carville V. Earle, "Environment, Disease, and Mortality in Early Virginia," in Thad W. Tate and David L. Ammerman (eds.), *The Chesapeake in the Seventeenth Century: Essays on Anglo-American Society* (Chapel Hill, N.C., 1979), pp. 96–125, and Lorena S. Walsh and Russell R. Menard, "Death in the Chesapeake: Two Life Tables for Men in Early Colonial Maryland," *Maryland Historical Magazine*, Vol. 69, No. 2 (1974), pp. 211–27. On subsequent improvement, see Jim Potter, "Demographic Development and Family Structure," in Jack P. Greene and J. R. Pole (eds.), *Colonial British America: Essays in the New History of the Early Modern Era* (Baltimore, 1984), pp. 123–56, and Daniel S. Levy, "The Life Expectancies of Colonial Maryland Legislators," *Historical Methods*, Vol. 20, No. 1 (1987), pp. 17–28.

century was quite different; their counterparts in the late eighteenth century lived in elegant brick houses and enjoyed such luxuries as imported furniture and tableware.² From a position of support for the English monarchy in the early colonial period, the elite of the southern colonies in the late eighteenth century produced a group of men – Washington, Jefferson, Monroe, Madison, and others – who became the leaders of the American republican movement that opposed the monarchy.³ And these were only a few of the more prominent elements of the process by which a few struggling colonial settlements evolved into the wealthiest region of what would be a powerful new nation.

Yet of all the changes that occurred in the southern colonies of mainland British America, perhaps none was more important for both its impact on the conditions of life in the region at the time and its implications for the future than the growth of slavery. For this reason, the early history of slavery in the southern colonies has received considerable attention from historians. Recently some elements of a convincing economic explanation for the growth of slavery have emerged. This explanation remains incomplete in some respects, however. This chapter considers some significant questions that have not yet been addressed and extends the scope of the answers that have been offered to some others.

The Chesapeake Bay colonies were one of the major regions of colonial America. Their experience offers us the opportunity to trace in detail the process by which variation in the streams of voluntary and coerced labor produced fundamental changes in the social and economic organization of the colonies. As Barbara Solow stresses, the task is of the first importance, for this is clearly one of the central issues of the American past.⁴

WHY DID THEY WAIT SO LONG?

The first region in mainland British America to adopt slavery on a large scale was the area around the Chesapeake Bay, and as a result, that area has been intensively studied by social and economic historians. These historians' interest in this episode has also been stim-

² Compare Gloria L. Main, *Tobacco Colony: Life in Early Maryland, 1650–1720* (Princeton, N.J., 1982), chaps. 2, 4, and 6, with Alice Hanson Jones, *Wealth of a Nation to Be: The American Colonies on the Eve of the Revolution* (New York, 1980), chaps. 6 and 9.

³ On the historiography of the evolution, see John M. Murrin, "Political Development," in Greene and Pole, pp. 408–56.

⁴ Barbara L. Solow, "Slavery and Colonization" (Chapter 1, this volume).

ulated by the substantial lag in time between the rise of a staple crop to domination of the Chesapeake's economy and the rapid growth of slavery: Although Virginians began to concentrate on growing tobacco during the 1620s, slaves did not become their primary source of bound labor until after 1680. In 1975 Edmund Morgan raised a question about this experience: "Why . . . did Virginians not furnish themselves with slaves as soon as they began to grow tobacco? Why did they wait so long?"⁵

Research published since Morgan's inquiry has revealed that important changes in the conditions of supply of both English indentured servants and African slaves occurred during the 1680s, and that together these changes caused the majority of the Chesapeake's bound labor force to shift from white to black. These discoveries have made a major contribution to our understanding of colonial history by identifying the economic forces responsible for the most dramatic surge in the growth of slavery in the Chesapeake region. Yet the resulting concentration on the final two decades of the seventeenth century has caused the relative neglect of another intriguing issue: **the more gradual growth of slavery during the two decades before 1680.** For although slaves came to dominate the Chesapeake's bound labor force only after 1680, they were already present in significant numbers earlier. Thus, for example, in 1680 slaves made up 37% of the bound laborers on Maryland's lower Western Shore.⁶ This level

⁵ Edmund S. Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (New York, 1975), p. 297. For a discussion of the answer he suggests in *ibid.*, pp. 297–9, see David W. Galenson, *White Servitude in Colonial America: An Economic Analysis* (Cambridge, 1981), pp. 152, 266.

⁶ Russell Menard, "From Servants to Slaves: The Transformation of the Chesapeake Labor System," *Southern Studies*, Vol. XVI, No. 4 (1977), p. 369. The growth of slavery relative to servitude did not occur at precisely the same time and at the same rate everywhere in the Chesapeake. The following evidence on the share of slaves among all bound workers listed in probate inventories in selected locations can be drawn from *ibid.*, pp. 360–1:

Year	Lower Western Shore, Maryland	All Maryland	York County, Virginia
1674–9	27%	20%	34%
1680–4	39	42	34
1685–9	35	39	79
1690–4	69	78	93
1695–9	61	75	98

This evidence shows that slaves made up one-third or less of bound labor during the 1670s, with generally higher shares during the 1680s and still higher shares during the 1690s. The most obvious differences are the earlier sharp increase in the share

had been reached after two decades of sustained growth in the area's slave population, from 8% of the bound labor force in 1660 to 16% in 1665 and to 23% in 1675. Although less dramatic than the years after 1680 because of the lesser quantitative importance of slaves in the Chesapeake's labor force, this earlier growth is nonetheless of considerable interest. Many attitudes and practices involving the use of slaves in the Chesapeake originated in this earlier period. Furthermore, it was during this time that Chesapeake planters first gained access to a supply of slaves directly from Africa. The causes of the gradual growth of slavery in the decades prior to 1680, and of the timing of the establishment of a transatlantic slave trade from West Africa to the Chesapeake, constitute a significant problem that remains to be explored.

An early expression of interest by Chesapeake planters in the purchase of African slaves appeared in a law enacted by Virginia's Assembly in 1660. The law provided that Dutch and other foreign traders were to pay a duty of ten shillings per hogshead on all tobacco they carried from Virginia, with one exception:

... *Allwaies provided*, That if the said Dutch or other forreiners shall import any negro slaves, They the said Dutch or others shall, for the tobacco really produced by the sale of the said negro, pay only the impost of two shillings per hogshead, the like being paid by our owne nation.⁷

This act does not appear to have succeeded in promoting the delivery of slaves to the Chesapeake, but the region's planters' interest in slaves continued. A revealing expression of this interest appears in a letter written in 1664 by Maryland's Governor Calvert to his father, Lord Baltimore, in England. The letter indicates that Lord Baltimore had made inquiries about the prices the newly chartered Company of Royal Adventurers into Africa would require to contract for ship-

of slaves in York County than in Maryland, during the late 1680s, and the continuing growth of slave shares to higher levels in York County than in Maryland during the 1690s. For a discussion of the possible sources of these differences, see *ibid.*, pp. 382-5. For the purposes of this investigation, however, the significant feature of this evidence is that all the areas demonstrate relatively low shares of slaves before 1680, with slaves rising to much higher shares in the course of the following two decades. ⁷ William Waller Hening (ed.), *The Statutes at Large: Being a Collection of all the Laws of Virginia*, (New York, 1823), Vol. 1, p. 540; also see Wesley Frank Craven, *White, Red, and Black: The Seventeenth-Century Virginian* (Charlottesville, Va., 1971), p. 92, and Robert McColley, "Slavery in Virginia, 1619-1660: A Reexamination," in R. Abzug and S. Maizlish (eds.), *New Perspectives on Race and Slavery: Essays in Honor of Kenneth M. Stampp* (Lexington, Ky., 1986), p. 20.

ments of slaves to the Chesapeake and expresses his son's disappointed response to the information:

I have endeavored to see if I could find as many responsible men that would engage to take a 100 or 200 neigros every yeare from the Royall Company at that rate mentioned in yr. Lopps [Lordship's] letter but I find wee are nott men of estates good enough to undertake such a businesse, but could wish wee were for wee are naturally inclin'd to love neigros if our purses would endure it.⁸

Calvert's letter leaves little doubt that in 1664 slave prices were too high to enable him and his fellow planters to guarantee a market for even one small shipload a year in order to establish a direct trade in slaves from Africa to the Chesapeake. The precise timing of the eventual establishment of this trade is not known with certainty. It is known, however, that it had begun by 1674, as in that year the Royal African Company scheduled two ships to carry 650 slaves to the Chesapeake. Another two shipments occurred in the following year, and a steady transatlantic trade in slaves to the Chesapeake appears to have continued thereafter.⁹ The forces that permitted this initial establishment of the slave trade to the Chesapeake have never fully been explored. In part, as noted earlier, this has been because historians have tended to focus their attention on the more dramatic period that followed, during the final two decades of the seventeenth century, which witnessed the large-scale adoption of slavery in the region. Yet the origins of the transatlantic slave trade to the Chesapeake are nonetheless of interest, for they appear to hold the key to understanding the necessary preconditions for the later growth of slavery in the region.

In 1664, the Chesapeake's planters were "nott men of estates good enough" to purchase 100 slaves a year; a decade later, apparently, they regularly bought considerably more than that number. Examination of some obvious variables that might have been expected to affect the planters' demand for slaves does not reveal evidence of any significant movement in this period that would have produced this change. The planters' wealth apparently changed little: One study found that the mean wealth of decedents on Maryland's lower West-

⁸ Maryland Historical Society, *The Calvert Papers*, Peabody Publication Fund, No. 28 (Baltimore, 1889), p. 249.

⁹ Menard, p. 366. Records of cargoes brought to the Chesapeake by the Royal African Company during the 1670s have not been found, so it is not possible to establish the numbers of slaves delivered with precision. Menard concludes that "it is almost certain that the Company delivered at least 500 slaves to the Chesapeake between 1674 and 1679, and the number may have been well over 1000."

ern Shore was no higher in the 1670s than during the preceding decade.¹⁰ Nor does it appear that the price of slaves changed significantly; although evidence on slave prices in the Chesapeake is lacking, it is known that slave prices in the English West Indies did not fall – and may have increased moderately – in the ten years after 1664.¹¹ The cost of indentured servants, the alternative source of bound labor, did not rise from the mid-1660s to the mid-1670s.¹² Nor was there any significant change in the composition or price of the Chesapeake's output, or in the techniques of its production, that might have prompted an increase in the demand for slaves.¹³

Yet a change did take place in the Chesapeake in the course of the later 1660s and early 1670s that may have had a major effect on the demand of the region's planters for slaves. This took the form of a series of laws that served to define the institution of slavery by clarifying the extent of the property rights of masters in bound black workers. Winthrop Jordan has concluded that the practice of slavery existed in the Chesapeake at least as early as 1640.¹⁴ Yet statutory recognition of slavery lagged behind practice, and it was not until 1661 that a Virginia law referred to the fact that some blacks were held for lifetime service.¹⁵ In 1664, Maryland's Assembly passed "An Act Concerning Negroes & Other Slaves," which stated that "all Negroes or other slaves already within the Province And all Negroes and other slaves to be hereafter imported into the Province shall serve Durante Vita."¹⁶

Unsettled questions nonetheless remained, however, concerning

¹⁰ Russell R. Menard, P. M. G. Harris, and Lois Green Carr, "Opportunity and Inequality: The Distribution of Wealth on the Lower Western Shore of Maryland, 1638–1705," *Maryland Historical Magazine*, Vol. 69, No. 2 (1974), Table 1, p. 173.

¹¹ David W. Galenson, *Traders, Planters, and Slaves: Market Behavior in Early English America* (Cambridge, 1986), pp. 66–7.

¹² Russell R. Menard, "Economy and Society in Early Colonial Maryland" (unpublished Ph.D. dissertation, University of Iowa, 1975), p. 342.

¹³ Tobacco prices were generally lower in the 1670s than during the preceding decade; Menard, "Farm Prices of Maryland Tobacco, 1659–1710," *Maryland Historical Magazine*, Vol. LXV111 (1973), pp. 80–5.

¹⁴ Winthrop D. Jordan, "Modern Tensions and the Origins of American Slavery," *Journal of Southern History*, Vol. XXVIII, No. 1 (1962), pp. 18–30; idem., *White Over Black: American Attitudes Toward the Negro, 1550–1812* (Baltimore, 1969), pp. 73–5.

¹⁵ Hening, Vol. 2, p. 26; Jordan, *White Over Black*, p. 81.

¹⁶ William Hand Browne et. al. (eds.), *Archives of Maryland* (Baltimore, 1883), Vol. 1, p. 533. The act further specified that the children of slaves would also be slaves.

For a listing of the groups the colonists considered eligible for slavery, see footnote 23. Concerning whites, Abbot Emerson Smith's statement that "there was never any such thing as perpetual slavery for any white man in any English colony" remains authoritative: *Colonists in Bondage: White Servitude and Convict Labor in America, 1607–1776* (Chapel Hill, N.C., 1947), p. 171.

the absoluteness of property rights in slaves in the Chesapeake. In Virginia in 1656, for example, Elizabeth Key, the illegitimate daughter of a slave woman, had successfully sued for her freedom from slavery on grounds that included the fact that she had been baptized.¹⁷ In 1667, the Virginia Assembly eliminated this possibility in "An act declaring that baptisme of slaves doth not exempt them from bondage":

Whereas some doubts have risen whether children that are slaves by birth, and by the charity and piety of their owners made pertakers of the blessed sacrament of baptisme, should by vertue of their baptisme be made free; *It is enacted* . . . that the conferring of baptisme doth not alter the condition of the person as to his bondage or ffreedom; that diverse masters, ffreed from this doubt, may more carefully endeavour the propagation of christianity by permitting children, though slaves, or those of greater growth if capable to be admitted to that sacrament.¹⁸

Although this act was intended to encourage masters to have their slaves baptized, its language clearly indicates that at least some planters feared that baptism of a slave might destroy their property rights in the worker.¹⁹ The desire of legislators to stimulate planters' demand for slaves by guaranteeing that baptism would not free their workers was made explicit in the very title of the parallel law enacted by the Maryland Assembly in 1671: "An Act for the Encourageing the Importacon of Negroes and Slaves into this Province." The act stated the assembly's concern and its resolution:

¹⁷ Warren M. Billings, "The Cases of Fernando and Elizabeth Key: A Note on the Status of Blacks in Seventeenth-Century Virginia," *William and Mary Quarterly*, third series, Vol. XXX, No. 3 (July 1973), pp. 467–74; for the surviving records of this case, see Billings (ed.), *The Old Dominion in the Seventeenth Century: A Documentary History of Virginia, 1606–1689* (Chapel Hill, N.C., 1975), pp. 165–9. Twelve years earlier, in 1644, a mulatto named Manuel, who had been purchased "as a Slave for Ever," was "by the Assembly adjudged no Slave and but to Serve as other Christian servants do and was freed in September 1665": *Virginia Magazine of History and Biography*, Vol. XVII, No. 3 (July, 1909), p. 232; for discussion see Helen Tunnicliff Catterall (ed.), *Judicial Cases Concerning American Slavery and the Negro* (Washington, D.C., 1926), Vol. 1, pp. 58–9.

¹⁸ Hening, Vol. 2, p. 260; also see A. Leon Higginbotham, Jr., *In the Matter of Color: Race and the American Legal Process, The Colonial Period* (Oxford, 1978), pp. 36–7; Joseph Boskin, *Into Slavery: Racial Decisions in the Virginia Colony* (Philadelphia, 1976), p. 45.

¹⁹ This fear apparently stemmed from a belief that under English law baptism would result in freedom from slavery; Catterall, Vol. 1, p. 55; also see William Darrell Stump, "The English View Negro Slavery, 1660–1780" (unpublished Ph.D. dissertation, University of Missouri, 1962), pp. 108–14; Paul C. Palmer, "Servant Into Slave: The Evolution of the Legal Status of the Negro Laborer in Colonial Virginia," *South Atlantic Quarterly*, Vol. LXV, No. 3 (1966), pp. 360–1. Billings speculates that a proliferation of suits by blacks may have led to the Virginia act of 1667: "The Cases of Fernando and Elizabeth Key," pp. 470–1.

Whereas Severall of the good People of this Province have been discouraged to import into or purchase within this Province any Negroes or other Slaves . . . upon a mistake and ungrounded apprehension that by becomeing Christians they and the Issues of their bodies are actually manumited and made free from their servitude and bondage be itt declared and Enacted . . . That where any Negro . . . Slave being in Servitude or bondage is . . . or shall become Christian . . . the same is not . . . to amount to a manumicon. . . .²⁰

The extension of the property rights of masters in slaves did not stop with these laws. Within two years of its treatment of the relation between slavery and baptism, Virginia's Assembly extended masters' property rights in their black workers to their eventual limits in a law of 1669 called simply "An act about the casuall killing of slaves." The act declared:

if any slave resist his master . . . and by the extremity of the correction should chance to die, that his death shall not be accompted ffelony, but the master . . . be acquit from molestation, since it cannot be presumed that prepensed malice (which alone makes murther ffelony) should induce any man to destroy his owne estate.²¹

In 1664, Charles Calvert had found that it was the high price of slaves, rather than any skepticism about their capacity for labor, that prevented him and his fellow planters from being able to guarantee a market for one shipload a year. In 1664, however, the unwillingness of some Chesapeake planters to meet that high price might have resulted from uncertainty about their ability to hold the Africans in servitude for life. No such uncertainty existed in Barbados, the major destination for Africans in English America at the time, where thousands of slaves arrived annually to grow sugar on great plantations. Nearly three decades earlier, in 1636, that colony's Council had declared that "Negroes and Indians, that came here to be sold, should serve for Life, unless a Contract was before made to the contrary," and this act appears subsequently to have been enforced without exceptions.²² Although Maryland's "Act Concerning Negroes & Other Slaves," quoted earlier, gave an assurance of this kind to that colony's planters in 1664, it was not until 1670 that Virginia's legislature produced such a guarantee when it declared that "all servants not being christians imported into this colony by shipping shalbe slaves for their

²⁰ Browne, Vol. 2, p. 272.

²¹ Hening, Vol. 2, p. 270; also see Higginbotham, p. 36.

²² Richard S. Dunn, *Sugar and Slaves: The Rise of the Planter Class in the English West Indies, 1624-1713* (New York, 1973), p. 228.

lives."²³ An important part of the answer to the question of why Chesapeake planters hesitated to invest heavily in slaves during the 1660s may be that during that decade they lacked the statutory assurance concerning the security of their investments that their counterparts in Barbados had received thirty years earlier.²⁴

A possible objection to this conclusion is that the causation suggested here could be the reverse of the truth: Rather than the extension of the legal definition of property rights stimulating the growth of

²³ The quotation is from Hening, Vol. 2, p. 283. The title of this act as given by Hening was "What tyme Indians to serve." Yet the use of "servants" rather than "Indians" in the passage quoted would appear significant, and it would equally appear applicable to Africans imported into the colony.

Interestingly, even this act of 1670 left a gap that apparently became troublesome. In 1682, the Virginia Assembly declared the earlier act void, noting the problem raised by its application to the status of "negroes, moores, mollattoes and others" who had been purchased as slaves but baptized as Christians sometime prior to their importation into Virginia; at that time, the owner could "sell him here for noe longer time then the English or other christians are to serve, to the great losse and damage of such master or owner, and to the great discouragement of bringing in such slaves for the future." The new act eliminated this loophole, declaring that all servants, "whether Negroes, Moors, Mollattoes or Indians, who and whose parentage and native country are not christian at the time of their first purchase of such servant by some christian, although afterwards, and before such their importation and bringing into this country, they shall be converted to the christian faith . . . shall be adjudged, deemed and taken to be slaves to all intents and purposes": Hening, Vol. 2, pp. 490-2.

²⁴ It might be asked why legislative action would be taken to encourage planters to purchase slaves. In part, of course, legislators may have wanted to protect their own (actual or potential) investments in slaves, and so supported laws to do this. Yet this might not fully explain a statement like that of Governor Calvert, quoted earlier: Since Calvert was probably sufficiently wealthy that his own economic status would not be greatly jeopardized by the uncertainties surrounding slaves as property, his complaint of 1664 appears to have been motivated by a desire for his fellow planters to buy slaves. To the extent that legislators were buying slaves, why would they have supported laws that would induce other planters to adopt this cheaper form of labor and potentially reduce their own profits? Apart from a possible desire to act for the good of the colonists even at their own expense, the answer may lie in a perceived externality. Planters already committed to the use of slaves may have believed that they would gain access to a supply of slaves of higher quality, and at lower cost, if the Chesapeake could gain access to the direct transatlantic trade from Africa. That an increase in demand by their fellow planters was necessary to gain this access is indicated by Calvert's statement. Although this argument is speculative in the absence of testimony concerning the motivations of Chesapeake legislators of the 1660s, it might be noted that planters in the West Indies strongly believed that the quality of the slaves available to them was higher when they received shipments directly from Africa, as opposed to indirect shipments through other colonies; for example, see Galenson, *Traders, Planters, and Slaves*, pp. 37, 183-4. Another motive of wealthy legislators in strengthening statutory property rights in slaves could have been a desire to increase the cooperation of poorer planters, who lacked a direct economic interest in the institution, in protecting the property of slave owners. By clarifying the legal basis of slavery, the legislators might have intended to increase its perceived legitimacy, and consequently to increase the willingness of poorer planters to help in such activities as capturing runaways.

slavery, the legislation of the 1660s and 1670s could have been merely a symptom of the increasing quantitative importance of blacks in the Chesapeake, and may have constituted no more than a recognition of practices that were already firmly established.²⁵ Yet Elizabeth Key's success in gaining her freedom from slavery in 1656 would appear to argue against the view that property rights in slaves were secure in practice even before the legislative actions. That Maryland's act of 1664 "Concerning Negroes & Other Slaves" was a response to a real need is furthermore suggested by the description of its origin contained in the journal of the colony's upper house for Monday, September 19, 1664:

Then came a Member from the lower house with this following paper (vizt) Itt is desired by the lower house that the upper house would be pleased to draw up an Act obligeing negros to serve durante vita they thinking it very necessary for the prevencon of the damage Masters of such Slaves may susteyne by such Slaves pretending to be Christned And soe pleade the lawe of England.²⁶

The upper house of the legislature drafted the act before adjourning the same day, and within the week it had been approved by both houses and enacted as law. A similar indication of legislative action responding to need is afforded by the reference of the preamble to Virginia's law of 1667 to the doubts that had arisen about the effects of baptism on slave status. Interestingly, also, the passage of Virginia's law concerning baptism occurred in September 1667, just a month after a slave identified only as Fernando had sued for his freedom at the August sitting of the Lower Norfolk County Court, claiming that "hee was a Christian and had been severall yeares in England." Fernando's suit was dismissed by that court, but he appealed that decision to the General Court; the proximity of the act to his suit further

²⁵ For example this appears to be the position taken by the Handlins in an influential paper on the origins of slavery. They wrote of the seventeenth-century Chesapeake that "by mid-century the servitude of Negroes seems generally lengthier than that of whites; and thereafter the consciousness dawns that the Blacks will toil for the whole of their lives, not through any particular concern with their status but simply by contrast with those whose years of labor are limited by statute. The legal position of the Negro is, however, still uncertain; it takes legislative action to settle that." They then proceeded to summarize the laws discussed earlier: Oscar Handlin and Mary F. Handlin, "Origins of the Southern Labor System," *William and Mary Quarterly*, third series, Vol. VII, No. 2 (1950), pp. 211-13.

²⁶ Browne, Vol. 1, p. 526; also see Catterall, Vol. 4, p. 1, who notes in regard to this act that "in 1772 England's lack of a positive law to support slavery justified Lord Mansfield in discharging Somerset."

suggests that the doubts referred to in the act's preamble might have been a serious cause of current concern.²⁷

Yet the question of whether the legislation of the late 1660s and early 1670s was a cause or a symptom of the growth of slavery in the region most likely presents a false dichotomy. The two need not have been mutually exclusive, for the legislation might have ratified the practices of some planters while having an independent influence on the actions of others. The argument proposed here is that a number of pieces of evidence point to the conclusion that the latter at least comprised a sizable group. The gradual and piecemeal adoption of the legislation that eventually served to define the property rights of masters in slaves suggests not only that the legal enactment of slavery was less a matter of external example in the Chesapeake than elsewhere, as Winthrop Jordan has suggested, but also that each element of the definition responded to a perceived need of planters otherwise eager to purchase African workers; indeed, as noted earlier, the very language of some of these acts states this directly.²⁸ The timing of the establishment of the slave trade from Africa to the Chesapeake in the mid-1670s, and the acceleration of the growth of the region's slave population after that time, further point to the likelihood that the increased precision of the legal definition of masters' property rights in slaves of the late 1660s and early 1670s was an important factor in increasing the demand for Africans and making possible the large-scale growth of slavery in the Chesapeake in the following decades.²⁹

²⁷ The record of the case appears in Billings, *The Old Dominion in the Seventeenth Century*, p. 169; for discussion see Billings, "The Cases of Fernando and Elizabeth Key," pp. 467-70. Billings notes that "as long as local justices of the peace recognized baptism as a reason for changing a black's status from slave to servant or as a basis for releasing him outright, and as long as unfavorable lower court decisions in such matters could be appealed, there were neither means to forestall such lawsuits nor assurances that a planter could retain his slaves. No matter how the courts decided these cases, the planter sustained losses of time and money. If he lost, he had to pay costs; if he won, the slave could not make restitution" (ibid., pp. 471-2). Thus, until the possibility of such litigation was eliminated, the attractiveness of slaves as a form of bound labor was lessened considerably.

²⁸ Jordan, *White Over Black*, p. 81. Interestingly, Wesley Frank Craven used precisely the legislative record of the development of slavery to illustrate the considerable independence of individual colonial governments: "The colonial legislators were left remarkably free to settle as they saw fit all questions arising from the presence of the Negro. Indeed, the development of the institution of Negro slavery in the North to which these communities were self-governing": *The Colonies in Transition, 1660-1713* (New York: Harper & Row, 1968), p. 295.

²⁹ Russell Menard observed that rapid growth of the slave population on Maryland's lower Western Shore began in the mid-1670s: "The Maryland Slave Population, 1658

DETERMINANTS OF THE RELATIVE COSTS OF SERVANTS AND SLAVES

As mentioned earlier, recent research has shown that the decisive period in the growth of slavery in the Chesapeake centered on the decade of the 1680s: In Maryland, planters' holdings of bound labor shifted from a ratio of 3.9 indentured servants for each slave in the late 1670s to nearly the reverse, 3.6 slaves for each servant, in the early 1690s.³⁰ This dramatic change in the composition of the bound labor force appears to have been the result of changes in the conditions of supply of both servants and slaves.

The supply of servants to the Chesapeake appears to have fallen sharply during the 1680s.³¹ A number of factors might have contributed to this situation. The 1670s and 1680s may have been a period of some improvement in labor market conditions in England.³² This would have tended to make Englishmen less likely to emigrate in general, and the available estimates of migration to all the American colonies do suggest declining levels during the 1680s.³³ Yet perhaps more damaging for the Chesapeake was a decline in the attractiveness of the region for those who did migrate. Migration estimates suggest that Maryland and Virginia suffered a much larger reduction in immigration than did the American colonies in general, as the Chesapeake's share of total English migration to America fell from about 40% during the 1660s and 1670s to 25% in the 1680s.³⁴ An obvious reason for this was the rise of competition from Pennsylvania during the 1680s, as the excitement caused by the opening of that colony, and the liberal land grants that quickly gave it the reputation of being

to 1730: A Demographic Profile of Blacks in Four Countries," *William and Mary Quarterly*, third series, Vol. XXXII, No. 1 (1975), p. 30.

³⁰ Menard, "From Servants to Slaves," p. 360.

³¹ *Ibid.*, pp. 362-3.

³² *Ibid.*, p. 379; Henry Phelps Brown and Sheila V. Hopkins, *A Perspective of Wages and Prices* (London, 1981), p. 30.

³³ Henry A. Gemery, "Emigration From the British Isles to the New World, 1630-1700: Inferences from Colonial Populations," *Research in Economic History*, Vol. 5 (1980), p. 215; Galenson, *White Servitude in Colonial America*, pp. 216-18. For estimates of total net migration from England that also show a decline in this period, see E. A. Wrigley and R. S. Schofield, *The Population History of England, 1541-1871: A Reconstruction* (Cambridge, Mass., 1981), p. 219.

³⁴ Galenson, *White Servitude in Colonial America*, pp. 216-18. Alternative estimates made by Russell Menard show a smaller decline in the Chesapeake's share of British migration to the Americas, from 43% in the 1670s to 36% in the 1680s and 1690s: "British Migration to the Chesapeake Colonies in the Seventeenth Century" (unpublished paper presented to the Economic History Workshop, University of Chicago, 1980), Table 5.

the best poor man's country, raised its share of the immigration to English America from negligible levels in the 1670s to a quarter of the total in the next decade.³⁵ By the 1680s, some prospective migrants to the Chesapeake may also have been aware of a trend that has been documented by recent studies, as economic opportunities for poor immigrants to the region deteriorated substantially during the second half of the seventeenth century.³⁶ This could have led them to avoid the older region and contributed to the shift of migration to Pennsylvania.

The result of the declining supply of indentured servants to the Chesapeake in the 1680s was a considerable increase in their price; probate valuations of male servants with four or more years to serve rose from average levels of £8-10 during the 1670s to £10.5-12 in the 1680s.³⁷ At the same time, slave prices were falling in English America. The mid-1680s witnessed the lowest point of a secular decline in slave prices in the West Indies that appears to have been the result of a downward trend in world sugar prices that had continued for four decades. With their traditional markets in the sugar colonies depressed, and with no obvious end in sight to the falling slave prices, slave traders appear to have looked for new markets during the 1680s.³⁸ One result of this was an increased supply of slaves to the Chesapeake, as the decade saw a substantial increase in the number of slaves imported into the region.³⁹

³⁵ Galenson, *White Servitude in Colonial America*, pp. 216-18. It is interesting to note that total estimated white migration to Pennsylvania and the Chesapeake together increased from about 15,600 during the 1670s to 18,300 in the following decade. Yet Pennsylvania's share of that total rose from only 4% in the 1670s to one-half in the 1680s. For evidence on servant ownership in early Pennsylvania, see Jean R. Soderlund, *Quakers and Slavery: A Divided Spirit* (Princeton, N.J., 1985), pp. 59-61; on economic opportunity for former indentured servants there, see Sharon V. Salinger, "To Serve Well and Faithfully": *Labor and Indentured Servants in Pennsylvania, 1682-1800* (Cambridge, 1987), chapter 2; also see the review of *ibid.* by Farley Grubb, *Journal of Economic History*, Vol. XLVIII, No. 3 (1988), pp. 772-4.

³⁶ Russell R. Menard, "From Servant to Freeholder: Status Mobility and Property Accumulation in Seventeenth-Century Maryland," *William and Mary Quarterly*, third series, Vol. XXX, No. 1 (1973), pp. 37-64; Lois Green Carr and Russell R. Menard, "Immigration and Opportunity: The Freedman in Early Colonial Maryland," in Tate and Ammerman, pp. 206-42; Lorena S. Walsh, "Servitude and Opportunity in Charles County, Maryland, 1658-1705," in Aubrey C. Land, Lois Green Carr, and Edward C. Papenfuss (eds.), *Law, Society, and Politics in Early Maryland* (Baltimore, 1977), pp. 111-33; *idem.*, "Staying Put or Getting Out: Findings for Charles County, Maryland, 1650-1720," *William and Mary Quarterly*, third series, Vol. XLIV, No. 1 (1987), pp. 89-103; John J. McCusker and Russell R. Menard, *The Economy of British America, 1607-1789* (Chapel Hill, N.C., 1985), pp. 137-8.

³⁷ Menard, "From Servants to Slaves," p. 372.

³⁸ Galenson, *Traders, Planters, and Slaves*, pp. 64-7.

³⁹ Menard, "From Servants to Slaves," p. 372; Galenson, *White Servitude in Colonial*

Rising prices for indentured servants and falling prices for slaves therefore combined to produce the rising relative cost of servants that has been used convincingly to explain Chesapeake planters' rapid substitution of slaves for servants during the 1680s.⁴⁰ The decline in the supply of servants evidently forced planters to switch to slaves, and the evidence suggests that many planters may initially have done so reluctantly, for the increase of nearly 60% in the purchase price of servants relative to slaves between 1675 and 1690 placed their cost far above past levels. Once the planters had gained experience with slaves, however, their reluctance apparently diminished, for they continued to import large numbers of slaves in the 1690s and subsequent decades in spite of a combination of falling servant prices and rising slave prices that restored the relative prices of the two types of labor to levels that had prevailed in the 1670s.

Evidence on the relative purchase prices of servants and slaves may actually understate the true magnitude of the increase in the relative cost of servant labor to planters that occurred during the 1670s and 1680s. There are two effects that are not captured in these data on prices that would lead to this conclusion. One is the result of possible changes in the quality of the servants over time. If the average productivity of servants arriving in the Chesapeake had declined during the 1670s and 1680s, the trend of observed prices of servants would be biased downward relative to the trend for servants of constant productivity and would therefore understate the true increase in the real cost of servant labor over time. Although the evidence is not conclusive, it is very possible that the 1680s did witness a decline in the average quality of the servants bound for the Chesapeake, for the shortage of servants there may have prompted English merchants to

America, p. 217. Although too much confidence should not be placed in the precision of these estimates, it is interesting to note that the estimated increase in black immigration to the Chesapeake between the 1670s and the 1680s, of 5,600, was nearly equal to the estimated decline in white immigration, of 5,800.

⁴⁰ For example, see Menard, "From Servants to Slaves," pp. 373–5. A logical qualification of Menard's interpretation of the price evidence might be noted. He writes that "the price of servants rose as the supply declined and blacks replaced whites as the majority among bound laborers in the Chesapeake. This is a strong criticism of the traditional argument [that planters' demand for servants had fallen]: the supply of servants did not fall in response to a decline in planter demand" (ibid., p. 373). Logically, an increase in the price of servants does not imply that the demand for servants did not decline: It implies only that if any decline in demand did occur, it was smaller in magnitude than a concurrent decline in supply. Although not logically necessary, however, it appears likely that Menard's rejection of a decline in the demand for servants is correct. The most telling evidence in favor of this belief is a striking lack of contemporary testimony that would indicate a decline in the desire of planters for servants.

extend their efforts at recruitment among groups of workers previously considered undesirable.⁴¹ Time series evidence for these decades is lacking, but surviving English servant registrations do indicate that a much smaller proportion of servants bound for the Chesapeake during the mid-1680s possessed occupational skills than had been the case three decades earlier.⁴² The declining skill level of the average servant would imply that over time planters were receiving less productive workers for the increasingly higher prices.

A second reason why the true relative cost of servants to planters might have been higher than shown in the relative purchase prices follows in part from the discussion earlier in this chapter of the legal status of slaves. For whereas during the 1660s and 1670s masters were increasing their control over their slaves, the same was not true for servants. Servants had many basic legal rights and enjoyed important legal protections. Servants had the right to sue their masters for mistreatment. In an extreme instance in 1663, the court of Charles County, Maryland, freed a servant after summoning his master to explain why the servant "hath bin so ill treated in his hows in so much that the voyce of the People Crieth shame thereat."⁴³ Although it was not easy for servants to win their liberty, county courts frequently granted some measure of redress in response to their complaints, often ordering that masters improve the diet or clothing they provided their servants.⁴⁴ Masters who caused the death of a servant were to be tried for murder "as near as may be to the law of England," and in two well-documented cases in Maryland in 1657 and 1664, the death sentence was imposed on masters convicted of murdering their servants.⁴⁵

Although severe punishments were given to masters for abuse of their servants only in extraordinary cases, minor improvements in the conditions of servants were more commonly ordered by colonial courts, and the threat of suits resulting from the legal rights and protections of servants imposed a constraint on masters in the su-

⁴¹ Ibid., p. 380. For a description of the methods by which servants were recruited, see Bernard Bailyn, *Voyagers to the West: A Passage in the Peopling of America on the Eve of the Revolution* (New York, 1986), Chapter 9.

⁴² Galenson, *White Servitude in Colonial America*, p. 93.

⁴³ Browne, Vol. L111 (Baltimore, 1936), pp. 410–11.

⁴⁴ Richard B. Morris, *Government and Labor in Early America* (New York, 1946), pp. 484, 488–90, 502–3; Abbot Emerson Smith, *Colonists in Bondage: White Servitude and Convict Labor in America, 1607–1776* (Chapel Hill, N.C., 1947), p. 243; Susie M. Ames, *Studies of the Virginia Eastern Shore in the Seventeenth Century* (Richmond, Va., 1940), pp. 85–6.

⁴⁵ Morris, pp. 485–6; Raphael Semmes, *Crime and Punishment in Early Maryland* (Baltimore, 1938), pp. 122–7.

pervision and treatment of their bound white workers that – as seen earlier – was altogether lacking for slaves by the 1670s.⁴⁶ Thus in 1705, when the council of Virginia issued an act detailing the legal rights of servants and defining the obligations of masters to them, the act made no mention of parallel rights of slaves; they had none.⁴⁷ The full cost of the labor of a bound worker to a planter would include both the initial purchase price of the worker and all costs of maintaining and employing the worker during his service to the planter. The greater rights of servants might have forced masters to treat them with greater care than slaves, thus raising the cost of maintenance and the care taken in supervision.⁴⁸ The difference in the legal protections of servants and slaves could therefore have resulted in higher costs for masters in employing servants than slaves, and these would not be apparent simply from consideration of the changing relative purchase prices of the two types of bound worker.

⁴⁶ This discussion is not intended to indicate that colonial courts afforded servants complete protection from maltreatment by their masters. As Richard Morris noted, English law was recognized to be one-sided on the subject of labor relations (p. 470), and it would be surprising if colonial court officials had not often favored their fellow planters in disputes with servants; for example, see Ames, pp. 86–7, T. H. Breen and Stephen Innes, “Myne Owne Ground”: *Race and Freedom on Virginia's Eastern Shore, 1640–1676* (New York, 1980), pp. 62–3; and Joseph Douglas Deal, “Race and Class in Colonial Virginia: Indians, Englishmen, and Africans on the Eastern Shore During the Seventeenth Century” (unpublished Ph.D. dissertation, University of Rochester, 1981), pp. 122–4. The argument here is rather that the access of servants to the courts gave them an advantage over slaves in the degree of their protection against the abuses of masters, and the evidence provided in the secondary sources cited in footnotes 43–5 suggests that this was a real advantage that would have been evident to colonial planters.

⁴⁷ Higginbotham, pp. 53–7; Palmer, pp. 366–8. For a qualification, see Raphael Casimere, “The Origins and Early Development of Slavery in Maryland, 1633 to 1715” (unpublished Ph.D. dissertation, Lehigh University, 1971), pp. 146–7.

⁴⁸ Lois Carr and Lorena Walsh refer to the growing differences in the treatment of servants and slaves in this period: “So long as slaves were few and intermingled with servants, work rules for whites probably also applied to blacks. But once slaves became dominant in the bound labor force, late in the seventeenth century, the experiences of slaves and servants began to diverge. Slaves had no claims to English workers’ customary rights to food of reasonable quantity and quality, adequate clothing and shelter, and a certain amount of rest and leisure”: “Economic Diversification and Labor Organization in the Chesapeake, 1650–1820,” in Stephen Innes, ed., *Work and Labor in Early America* (Chapel Hill, N.C., 1988), p. 157.

Evidence on the relative cost of maintaining servants and slaves is difficult to find. Ralph Gray and Betty Wood have estimated that the annual cost of feeding and clothing servants was substantially higher than for slaves in Georgia about 1740: “The Transition from Indentured to Involuntary Servitude in Colonial Georgia,” *Explorations in Economic History*, Vol. 13, No. 4 (1976), pp. 367–8. Although consistent with the argument made here, however, this does not bear on the issue of possible changes in the relative costs of using the two types of bound labor over time.

Table 1. Percentages of householders who owned servants and slaves by total estate value, lower Western Shore, Maryland, 1658–1705

Total estate value	1658–9	1660–9	1670–9	1680–9	1690–9	1700–5
£0–19.9						
Servants	0	0	0	2	2	0
Slaves	0	0	0	0	1	2
No. of householders	4	21	82	94	127	63
£20–39.9						
Servants	0	17	28	9	9	9
Slaves	0	2	1	0	0	0
No. of householders	1	46	79	75	107	58
£40–59.9						
Servants	0	61	40	36	8	27
Slaves	0	0	0	2	5	2
No. of householders	1	23	63	50	78	45
£60–99.9						
Servants		74	47	49	30	50
Slaves		5	7	11	9	14
No. of householders	0	19	55	71	46	36
£100–149.9						
Servants	100	88	89	66	69	76
Slaves	0	6	11	9	31	33
No. of householders	1	17	28	35	32	33
£150 +						
Servants	100	100	84	88	65	85
Slaves	0	37	38	54	70	72
No. of householders	1	27	91	68	96	78

Source: Probate inventories from Calvert, Charles, St. Mary's, and Prince George's Counties, Maryland.

WEALTH AND THE GROWTH OF SLAVERY IN THE CHESAPEAKE

Recent research has disclosed other interesting features of the early growth of slavery in the Chesapeake that have not been fully explained. One of these concerns the characteristics of the planters who purchased slaves during the early period. Several historians have observed that wealthy planters, the owners of large estates, were the first in the region to hold slaves.⁴⁹ This is borne out by Table 1, which

⁴⁹ Menard, “From Servants to Slaves,” pp. 385–7; Main, pp. 102–3; McColley, p. 18; Deal, pp. 207–8; Bernard Bailyn, *The Peopling of British North America: An Introduction* (New York, 1986), p. 102.

Table 2. Mean numbers of servants and slaves owned by householders who owned any of the respective type of labor, by total estate value, lower Western Shore, Maryland, 1658–1705

Total estate value	1658–9	1660–9	1670–9	1680–9	1690–9	1700–5
£0–19.9						
Servants				1	1.5	
Slaves					1	1
£20–39.9						
Servants		1	2	1.1	1.1	1.2
Slaves		1	1			
£40–59.9						
Servants		1.5	1.2	1.2	1.3	1.3
Slaves				1	1.3	1
£60–99.9						
Servants		1.9	2	1.5	1.4	3.2
Slaves		1	1.5	2.4	1.5	1.9
£100–149.9						
Servants	2	2.9	2.5	1.8	1.8	2.1
Slaves		1	1.7	1.8	2.3	2.6
£150+						
Servants	2	4.6	3.6	4.6	2.7	3.7
Slaves		4.3	3.5	5.7	5.9	8.2

Source: See Table 1.

shows that the ratio of estates with slaves to those with servants was positively related to the level of wealth for decedents in four countries on Maryland's lower Western Shore during the second half of the seventeenth century. Table 2 further shows that the average number of slaves held by those decedents who had any also rose with wealth.

Table 3 presents another view of this evidence on labor holdings that further underscores the difference in the behavior of poorer and wealthier planters. This tabulation includes the estates only of those decedents who held at least three servants or one slave, and therefore effectively eliminates the question of whether a planter could afford to own a slave: Virtually all those included in the table had in fact invested an amount in bound labor that was sufficient to buy at least one slave.⁵⁰ Table 3 shows that during the 1660s, planters worth less

⁵⁰ See the price ratios for servants and slaves in Menard, "From Servants to Slaves," p. 372; also Paul G. E. Clemens, *The Atlantic Economy and Colonial Maryland's Eastern Shore: From Tobacco to Grain* (Ithaca, N.Y., 1980), p. 62. I am grateful to Russell Menard for providing me with abstracts of the probate inventories on which Tables 1–4 are based.

Table 3. Ratios of servants to slaves on selected estates, by total estate value, lower Western Shore, Maryland, 1660–1705

Total estate value	1660–9		1670–9		1680–9		1690–9		1700–5	
	n	Ratio	n	Ratio	n	Ratio	n	Ratio	n	Ratio
£0–100	8	10.5	12	3.4	11	2.3	12	0.4	9	1.8
101–200	20	14.2	28	9.5	20	2.3	21	0.6	27	1.2
201–400	9	1.9	29	2.1	22	1.5	25	0.7	29	0.8
401–1,000	2	2.8	10	2.1	15	1.7	21	0.3	16	0.5
1,000+	2	1.4	3	0.5	7	1.0	6	0.2	10	0.3

Note: Estates were included in this tabulation only if they contained at least three indentured servants or at least one slave. The ratios were calculated as the total number of servants held by decedents in a given wealth category divided by the total number of slaves held by those decedents.

The entries under *n* for each decade refer to the number of estates tabulated.

Source: See Table 1.

than £200 owned more than 10 times as many servants as slaves, whereas for those worth more than £200 this ratio was less than 3. The difference declined during the 1670s but remained sizable, as the ratio of servants to slaves was over 9 for planters worth £100–200 and again under 3 for those worth more than £200. As slaveholding became more common in the 1680s the difference became smaller, as planters worth less than £200 held just over twice as many servants as slaves, compared with ratios below 2 for those worth more than £200. In the 1690s, planters in all wealth categories held fewer servants than slaves, and the ratio of servants to slaves remained higher for poorer than wealthier planters only because the latter had both increased their slave holdings and reduced their servant holdings over time.

The evidence of Table 3 therefore makes it clear that even when consideration is restricted to those planters capable of owning slaves, during the early stages of the growth of slavery in the Chesapeake poorer planters held slaves in much smaller numbers relative to servants than did their wealthier counterparts. This difference in behavior, which was very marked during the 1660s, declined steadily in the decades that followed; although it had not disappeared completely by the 1690s, that it had become so much smaller by then suggests that for the most part its causes must have been transitory.

Beyond the observation that less wealthy planters could not afford slaves, there has been little detailed inquiry as to why it was the wealthiest planters who substituted slaves for servants earlier than

others. If slaves had become a better buy than servants during the 1680s – if the rate of return on the ownership of slaves exceeded that on servants – why didn't all planters with sufficient wealth to own bound laborers attempt to substitute slaves for servants at the same time? There are many possible reasons for this difference; several factors that seem likely to have contributed to it will be discussed here. Although the evidence to determine their relative importance is not currently available, further research can produce evidence that would bear on this issue and improve our understanding of this episode.

One possibility is that the relative profitability of buying slaves varied among purchasers owing to financial conditions. One reason for this could have been differences in access to credit by wealth. Although relatively little is known of the role of credit in the purchase of slaves in the early Chesapeake, it is known that virtually all purchases of slaves in the West Indies at the time involved credit. Each transaction was negotiated individually between buyer and seller, and it seems likely that different interest rates were charged to different buyers, with the lower default risk of wealthier planters resulting in access to credit on better terms.⁵¹ In general, the lower the interest rate, the higher the present value of a longer-lived asset relative to one of shorter life, because more distant services are discounted less heavily. An inverse relationship between interest rates and planters' wealth would therefore have served to make the profitability of purchasing slaves relative to servants an increasing function of the wealth of the purchaser.

The relative profitability of purchasing slaves and servants could also have differed among planters for another reason that involved commercial practices. A recent analysis of the records of a British firm trading in the Chesapeake found that during the 1690s servants were normally bought with tobacco, but slaves were bought with bills of exchange.⁵² This meant that servants were available to all purchasers on the same terms, but slaves could most easily be purchased by planters able to draw bills of exchange on accounts with British merchants or by those who could buy bills of exchange. This practice

⁵¹ K. G. Davies, *The Royal African Company* (London, 1957), p. 317. The hypothesized difference in interest rates among purchasers is the obvious reason why actual auctions could be held only for cash; for discussion, see Galenson, *Traders, Planters and Slaves*, chapter 4.

⁵² Jacob M. Price, "Sheffield v. Starke: Institutional Experimentation in the London-Maryland Trade c. 1696–1705," *Business History*, Vol. XXVIII, No. 3 (1986), pp. 19–39.

would therefore have given an advantage in purchasing slaves to the larger planters who were more likely to consign tobacco to British merchants.

A second possibility is that even if the expected rates of return to holding servants and slaves had been the same to all planters, considerations of risk might have led less wealthy planters to buy servants. These planters might have chosen to forego the higher average returns from buying slaves in order to reduce the variance of the return from their investments in labor. In the high-mortality environment of the seventeenth-century Chesapeake, less wealthy purchasers of bound labor might have wished to avoid the concentration of a large share of their wealth in one or two slaves, preferring instead to reduce their risk by owning larger numbers of less expensive servants. In contrast, wealthier planters might more easily have afforded to bear the risk of holding slaves, and might therefore more often have opted for the more profitable type of labor.⁵³

A third factor that could have led to the earlier purchase of slaves by wealthier planters is possible differences in information. The early growth of slavery in the mainland colonies may have been slowed by planters' doubts about the productivity of African slaves. Such doubts might have been less prevalent among wealthier planters, however, who would generally have been better informed about the successful use of black slaves by English planters in the West Indies. In fact, some very wealthy planters who were among the early large slaveholders in the Chesapeake had migrated there directly from the West Indies. Thomas Notley, for example, arrived in Maryland from Barbados in 1662, and went on to serve as personal attorney to Charles Calvert and to hold a series of political offices, including deputy governor of the colony. At his death in 1679, Notley left an estate that included twenty-nine slaves in addition to several thousand acres of land. Jesse Wharton arrived in Maryland from Barbados in 1670 and, like Notley, held a series of offices that included deputy governor of Maryland; he left eleven slaves as well as more than 3,000 acres at his death in 1676.⁵⁴ No systematic study has yet been done of the

⁵³ For a discussion of this point, and variations on the theme, see Darrett B. Rutman and Anita H. Rutman, *A Place in Time: Middlesex County Virginia, 1650–1750*, 2 vols. (New York, 1984), Vol. 1, pp. 180–4.

⁵⁴ See the entries for Notley and Wharton in Edward C. Papenfuss, Alan F. Day, David W. Jordan, and Gregory A. Stiverson, *A Biographical Dictionary of the Maryland Legislature, 1635–1789*, 2 vols. (Baltimore, 1985), Vol. 2 pp. 616, 880–1. I am grateful to Russell Menard for these references.

relationship between early large-scale slaveholding in the Chesapeake and connections with the West Indies, but the political prominence of men like Notley and Wharton makes it likely that their examples would have been widely known, particularly among their wealthy associates.

A fourth factor concerns possible variation in planters' attitudes toward the purchase of African slaves as a result of differences in living and working conditions. Smaller planters generally could not afford separate dwellings for their bound workers, and the latter typically lived in the same houses as the planters and their families.⁵⁵ In contrast, wealthier planters more often had separate living quarters for their laborers.⁵⁶ As a result of this greater physical separation, wealthier planters may have been less reluctant to purchase Africans, who were culturally more alien to them than their own countrymen. Wealthier planters were also more likely to have hired overseers, who would do the work of training and supervising their bound laborers.⁵⁷ Because the wealthy were less likely than their poorer counterparts to have to perform these jobs themselves, they may have been less concerned with the problems involved in overcoming language barriers and teaching African slaves farming methods that many English servants already knew.

As noted earlier, the significance of each of these effects remains to be determined through further investigation. They are, of course, not mutually exclusive. It might also be pointed out that all of them could have declined in force over time, leading to the reduction in the difference among wealth categories observed in Table 3. Thus an increase in the importance of slave markets in the Chesapeake could have led to improvements in the efficiency of credit markets for slave purchases and a reduction of interest rate differentials among planters. Improvements in life expectancies in the region in the late seventeenth century could have reduced the riskiness of holding slaves.⁵⁸ Information about the productivity of slaves would have diffused to planters at all wealth levels as the region's black population grew. And the barriers of language and skills between colonists and slaves

⁵⁵ Carr and Menard, p. 228; Lorena Seebach Walsh, "Charles County, Maryland, 1658–1705: A Study of Chesapeake Social and Political Structure" (unpublished Ph.D. dissertation, Michigan State University, 1977), p. 176.

⁵⁶ Main, pp. 160–2; Walsh, p. 178; Garry Wheeler Stone, "St. John's: Archaeological Questions and Answers," *Maryland Historical Magazine*, Vol. 69, No. 2 (1974), p. 147.

⁵⁷ For example, Main, pp. 112, 131–2; Walsh, p. 178.

⁵⁸ For an indication of improvements in the life expectancies of whites in the region at the time, see Levy, pp. 18–19.

Table 4. *Frequency distributions of slaveholdings by size, lower Western Shore, Maryland, 1660–1705*

Number of slaves	1660–9	1670–9	1680–9	1690–9	1700–5
1	4	20	17	25	16
2	1	11	10	15	12
3	3	7	5	10	2
4	1	2	4	4	9
5	2	1	4	8	1
6	1	2		3	7
7			2	3	5
8				4	5
9			2	1	2
10		1	2	1	2
11		1	2	1	
12				2	2
13	1			1	1
14			1		
15					
16				1	2
17			1		1
18					
19				1	
20				1	1
21				1	
23					1
26					1
29		1			1
30				1	
31					1
39					1
40			1		
41				1	
Total	13	46	51	84	73

Source: See Table 1.

would have diminished over time as a larger American-born slave population emerged.

Although wealthy planters played an important role in bringing slavery to the Chesapeake, genuinely large slaveholdings were rare in the region during the seventeenth century, and most slaveholdings remained quite small.⁵⁹ This is clearly demonstrated by Table 4, which presents the size distribution of the slaveholdings of decedents on the lower Western Shore of Maryland during 1660–1705. Although these data do show a tendency for the size of slaveholdings to increase

⁵⁹ This point was made by Craven, *The Colonies in Transition*, p. 301.

over time, the typical holding remained quite small throughout the period: The median number of slaves held by slave owners rose only from two during the 1670s and 1680s to three during the 1690s and to four during 1700–5. The proportion of slave owners with more than ten slaves remained under 10% until the 1690s, and such men still made up less than one of six slave owners during 1700–5. This contrasted sharply with the situation in the West Indies. For example, in Barbados as early as 1680, more than 30% of all property holders owned twenty or more slaves; nearly half of these large planters held more than sixty slaves.⁶⁰ Yet although few Chesapeake planters owned extremely large numbers of slaves, Table 4 does indicate an increase in the importance of large holdings at the turn of the eighteenth century. The proportion of slaveowners with more than twenty slaves rose from 2% in the two decades before 1690 to nearly 7% during 1700–5. The proportion of slaves in estates held by owners with more than twenty slaves similarly rose from less than 22% during each of the last three decades of the seventeenth century to 30% in 1700–5.

The increasing significance of larger slaveholdings is also indicated by calculating from the distributions of Table 4 what Lewis Gray called the “median average” holding, defined such that half of all slaves would reside on estates of the median average size or greater. The median average holding on the lower Western Shore rose from five in the 1660s and four in the 1670s to nine during the 1680s and 1690s and to twelve in 1700–5. Plantation sizes continued to increase during the later colonial period and the early nineteenth century; for 1860, for example, Gray found median average plantation sizes ranging from twenty-four to twenty-eight slaves in tobacco-growing areas of Virginia and North Carolina.⁶¹

Another interesting feature of the growth of slavery in the Chesapeake was its gradual nature: In a common comparison, it has been noted that the interval between the introduction of slaves and their quantitative domination of the bound labor force was much longer in the Chesapeake than in the West Indies.⁶² Much of the literature to date has explained this as a consequence of differences in the supply

⁶⁰ Dunn, p. 91.

⁶¹ Lewis Cecil Gray, *History of Agriculture in the Southern United States to 1860*, 2 vols. (Washington, D.C., 1933), Vol. I, pp. 529–31; for additional discussion, see Robert William Fogel and Stanley L. Engerman, *Time on the Cross: Evidence and Methods* (Boston, 1974), pp. 143–9. For some evidence on the increasing sizes of slaveholdings in the eighteenth century, see Allan Kulikoff, *Tobacco and Slaves: The Development of Southern Cultures in the Chesapeake, 1680–1800* (Chapel Hill, N.C., 1986), p. 137.

⁶² For example, see Richard S. Dunn, “Servants and Slaves: The Recruitment and Employment of Labor,” in Greene and Pole, p. 166.

of white labor to these regions, emphasizing that English servants avoided the West Indies after the middle of the seventeenth century but remained more willing to go to the Chesapeake. A variety of evidence supports this view, including the fact that indentured servants bound for the West Indies received substantially shorter terms than those alike in other respects who traveled to the Chesapeake.⁶³ The latter result, which points to an implicit wage premium that compensated servants for their choice of a less attractive destination, cannot have arisen solely from differences in the demand for servants among the colonies and therefore demonstrates the influence of the servants’ preferences on the indenture bargains.⁶⁴

Other authors have offered quite different accounts of the causes of the growth of slavery, emphasizing instead the influence of factors on the demand side of the labor market.⁶⁵ Part of the reason for the differing speed of the growth of slavery in the West Indies and the Chesapeake may in fact lie on the demand side, in a combination of differences in the technology of the cultivation of sugar and tobacco and, as discussed earlier in this chapter, differences in the extent of planters’ control over servants and slaves.

In the West Indies, it was apparently recognized very early that sugar cultivation could be done most efficiently by the use of gang labor.⁶⁶ Turning the ground, planting the sugar, weeding the fields,

⁶³ Galenson, *White Servitude in Colonial America*, chap. 7.

⁶⁴ If conditions of servant supply had not varied by colony – if servants had had no preferences concerning (or influence in determining) their destinations – there would have been no differences in the length of contracts of servants bound for different destinations, i.e., the (implicit) wages of servants would not have varied across colonies. Differing levels of demand for servants across colonies would instead have caused differences in the relative numbers of servants bound for the various colonies; differing contract lengths by destination could occur only as a result of differences in supply facing the colonies.

It might be noted that this evidence on servants’ contract lengths contradicts the contention of some recent historians that the determination of servants’ destinations was done by merchants, with little or no regard for the servants’ desires; see, e.g., James Horn, “Servant Emigration to the Chesapeake in the Seventeenth Century,” in Tate and Ammerman, p. 92, and Gary B. Nash, *The Urban Crucible: Social Change, Political Consciousness, and the Origin of the American Revolution* (Cambridge, Mass., 1979), p. 111. Yet it might have been less surprising to Abbot Emerson Smith, who remarked that the “most striking of all evidences [of the servants’ knowledge concerning the bargains they entered] is that which shows servants preferring one colony over another” (p. 57).

⁶⁵ For example, Barbara L. Solow, “The Transition to Plantation Slavery: The Case of the British West Indies,” in *De la Traite à l’Esclavage* (Paris, 1989), pp. 89–110. The following argument appears to be consistent with that given by Solow.

⁶⁶ Richard Pares, *Merchants and Planters*, *Economic History Review Supplement No. 4* (Cambridge, 1960), pp. 19–20; K. G. Davies, *The North Atlantic World in the Seventeenth Century* (Minneapolis, 1974), p. 183; Gary A. Puckrein, *Little England: Plantation Society and Anglo-Barbadian Politics, 1627–1700* (New York: New York University Press,

and cutting the cane were operations requiring heavy work that could be performed effectively by large gangs of regimented workers forced to work rapidly. Gang labor was not as important in the Chesapeake, however, for in contrast, a number of steps in the cultivation and harvesting of the more delicate tobacco plants had to be done with greater care if the final product was to be of high quality.⁶⁷ A critical feature of successful use of the gang system was discipline of the workers: The system economized on supervision by having all the members of a gang work in unison, and it was therefore important for the overseer to maintain strict control of the workers. As in the Chesapeake, the latitude permitted masters in the West Indies in disciplining slaves was greater than that for servants. Masters might therefore have found it inefficient to mix servants and slaves in the same work gangs. No such problem may have existed in field work in the Chesapeake, however, for tobacco workers worked more independently than the laborers of the West Indies, and in consequence, servants and slaves may have been used more readily in mixed groups. The result may have been that slaves could be brought into the Chesapeake's labor force more gradually than in the West Indies without sacrifice of productive efficiency.

THE ATLANTIC ECONOMY AND THE GROWTH OF SLAVERY IN AMERICA

Early in this century, historical studies of indentured servitude and slavery in the colonial period tended to treat those subjects in isolation in a number of respects; not only was each typically studied without reference to the other, but both were normally treated as American phenomena, without consideration of their economic connections to

1984), pp. 83–4; David Brion Davis, *Slavery in the Colonial Chesapeake* (Williamsburg, Va., 1986), pp. 5, 18.

⁶⁷ Lois Carr and Lorena Walsh have recently argued that many slaves in the colonial Chesapeake did work in gangs while cultivating tobacco. This view appears to contrast with some other statements, e.g. Gray, Vol. I, p. 552; Pares, p. 21; Gerald W. Mullin, *Flight and Rebellion: Slave Resistance in Eighteenth-Century Virginia* (London, 1972), p. 49; Davis, pp. 18, 30; William A. Green, "Race and Slavery: Considerations on the Williams Thesis," in Barbara L. Solow and Stanley L. Engerman (eds.), *British Capitalism and Caribbean Slavery: The Legacy of Eric Williams* (Cambridge, 1987), p. 37. The precise nature of the work done in the gangs referred to by Carr and Walsh remains to be compared to that of gang laborers in the West Indies at the time, however; the gang labor that was done on tobacco plantations in the Chesapeake may have been less arduous and less regimented than the work done by slaves in the large gangs used to cultivate sugar in the West Indies. For a suggestive statement, see Gray, Vol. I, pp. 550–1.

Europe and Africa. Subsequently, increasing interest in the origins of slavery in colonial America led to a growing awareness of the need to consider the two types of labor simultaneously, to compare their advantages and disadvantages in order to understand the decisions made by colonial planters in choosing between them. More recently still, interest in understanding the timing of planters' choices between servants and slaves in more detail, and in explaining the differences in those decisions across colonies, has led to a recognition of the need to examine the determinants of the supply of servants and slaves, and consequently to study the trades that connected America with the places of origin of the workers who came to the colonies.

One major result of research on colonial economic history during the past decade has been the discovery that transatlantic markets for bound labor worked far more efficiently than had previously been realized.⁶⁸ The shipment of indentured servants was not an irregular, haphazard trade but a considerable business, many outcomes of which can be understood as the results of a competitive industry; the same was true of the slave trade, which was a highly organized business run by professional traders. These findings imply that the numbers of workers brought to America year by year, and their costs to colonial planters, should have depended systematically on economic conditions in Europe and Africa and on the trade routes across the Atlantic. Recent quantitative research has begun to confirm this prediction, and both quantitative and qualitative evidence have been used in beginning the task of delineating the channels of trade throughout the Atlantic economy that made these adjustments possible.⁶⁹ Improving labor market conditions in England in the last

⁶⁸ For a summary of this research, see David W. Galenson, "Labor Market Behavior in Colonial America: Servitude, Slavery, and Free Labor," in Galenson (ed.), *Markets in History: Economic Studies of the Past* (Cambridge, 1989), pp. 52–96.

⁶⁹ The operation of the internal African slave trade and the dealings between African traders and European merchants and captains have both recently been the subject of considerable attention. On the former, see Philip D. Curtin, "The Abolition of the Slave Trade from Senegambia," in David Eltis and James Walvin (eds.), *The Abolition of the Atlantic Slave Trade: Origins and Effects in Europe, Africa, and the Americas* (Madison, Wis., 1981), pp. 83–97; on both, see Paul E. Lovejoy, *Transformation in Slavery: A History of Slavery in Africa* (Cambridge, 1983), chaps. 2–6. The specific cooperation between European and African traders that produced the African slave supply responses to changing American demands is described in detail in such documents as the journal of the captain of a ship sent to West Africa by the Royal African Company in 1667. On February 11, he recorded: "This day aboutt nine in the morninge Came on Board the Kinge of New Callabarr with some others of his generals and after a Long discourse Came to Agreementt," and went on to report the prices at which the company agreed to buy slaves, specified by age and sex: Public Record Office, London, Treasury 70/1213. Later the central Royal African Company

quarter of the seventeenth century appear to have raised the cost of indentured servants in the colonies and pushed Chesapeake planters toward the use of slaves. At the same time, a slump in European sugar prices lowered the value of African slaves in the Caribbean and South America and made slaves an increasingly attractive substitute for servants in the Chesapeake.

The significance of these interconnections appears to have been critical for the development of the colonial labor market – as for the colonial economy in general – and it is now clear that future research on the size and composition of the colonial labor force will continue to be informed by an appreciation of the influence of conditions in other parts of the Atlantic economy. Indeed, an improved understanding of the colonial economy will require further research on other sectors of the Atlantic economy, for many linkages remain to be identified and measured more precisely. An obvious example concerns the supply of slave labor to America, for recent studies have only begun the task of constructing and testing models of the determinants of the supply of slaves to European traders on the west coast of Africa.

Yet this chapter has also suggested that in order to improve our understanding of the outcomes observed in colonial labor markets, this work on the linkages among distant parts of the Atlantic economy must not be pursued to the exclusion of the consideration of the local conditions of specific places. The growth of slavery in the early Chesapeake depended not only on the transatlantic trades that governed the supply of English servants and African slaves, but also on conditions internal to the societies of Maryland and Virginia. Both collective actions, as seen in the changing legal definition of the extent of property rights in slaves, and the material circumstances, information, and attitudes of individual planters appear to have had a profound influence on the relative demands of the planters for servants and slaves, and therefore on the evolution of the labor system of the colonial Chesapeake. A fuller understanding of the growth of slavery in the early Chesapeake, or in any other part of the Atlantic economy, will consequently depend on a blend of research on forces general to that wider economy and those specific to the particular region.

office in London corresponded directly with African chieftains, sending them descriptions of the demographic composition of the slave cargoes they desired. The detail of the requests suggests the care devoted by both parties to the transactions, and the cordial tone suggests the mutual benefits. For example, in a letter of 1702 addressed to the "Great King of Bandie," the company prefaced its specifications by acknowledging that "Wee take very kindly your inviting us to send our ships to trade in your country": PRO, T70/51, f. 150; also see f. 103v. On the quantitative effects of these adjustments, see Galenson, *Traders, Planters, and Slaves*, chap. 5.

CHAPTER 12

Credit in the slave trade and plantation economies

JACOB M. PRICE

INTRODUCTION

A few years ago, I was invited to prepare for this conference a paper on credit in the slave trade. Over the years, I had accumulated some scraps of data on this topic, as well as bibliographic references to the vast and ever-growing library of scholarly books on slavery. After accepting this deceptively easy assignment, I proceeded through a very long shelf of publications on the slave trade – including many by those here today – only to discover that most of these erudite works had relatively little to say about credit. Thus, of necessity, this chapter is not a rich synthesis of existing scholarship but an exploratory essay suggesting some questions and answers hinted at by our still scrappy evidence.

We can perhaps usefully start with a generalized if simplified way of thinking about the problem of credit in the slave trade and slave economies. In the seventeenth and eighteenth centuries the dynamic areas of the slave economies, the principal destinations of the slave trade, were in most cases what can be described from a European perspective as initially frontier areas, underpopulated territories of new settlement. In such areas, land is characteristically abundant and cheap, whereas capital and labor are scarce and, by European standards, expensive. Such almost valueless land can be made productive and valuable – a process succinctly expressed is the French phrase *mettre en valeur* – only by the application of capital and labor. In those centuries, capital was generally slightly more mobile than labor. Thus, in such frontier areas with almost free land but a constraining shortage of labor, the successful entrepreneurial settler was likely to be one who could scrape together some capital to be used to obtain labor through the purchase of either indentured servants or slaves. In tropical and other areas unattractive to indentured servants, this usually meant slaves. A poor settler might acquire an indentured servant