Students can explore the evolution of the labor system in the colony by framing their studies around this question: **How did people work in the colonies? Why did indentured servitude start and how did it transition to slavery?**

The first Africans arrived in Jamestown in 1619. In seventeenth-century colonial Virginia, some Africans came as indentured servants, while others had been sold or traded as enslaved labor. A few gained their freedom. Changing economic and labor conditions and racial presumptions of inequity contributed to the tobacco planters’ increasing reliance on slavery as a major source of labor.

Starting with Maryland in 1641 (technically a middle colony), laws spread to southern colonies that codified slavery throughout the Atlantic Seaboard.

By the 1680s, the institution of slavery was firmly established as part of colonial economies. Students can study maps, ships’ logs, and other primary sources to clarify the eighteenth-century trans-Atlantic slave trade that linked Africa, the West Indies, the British colonies, and Europe.

Literature, such as *To Be a Slave* edited by Julius Lester and Tom Feelings and *Many Thousands Gone* by Virginia Hamilton, offer opportunities for teachers to engage students in many different aspects of the institution of slavery.

Students can use their growing sense of historical empathy to imagine, discuss, and write about how these young men and women from Africa may have felt, having been stolen from their families, transported across the ocean in a brutal voyage, known as the “Middle Passage,” to a strange land, and then sold into bondage. This is an appropriate time to reflect on the meaning of slavery both as a legal and economic institution and as an extreme violation of human rights.
Labor in Jamestown

English settlers and investors established Jamestown, Virginia, as their first permanent settlement in North America in 1607. No more than a thousand people migrated in two years, and, even then, less than a hundred people survived the new environment. In order for the colony to become a lucrative business venture for the Virginia Company of London, a steady stream of settlers and cheap labor had to be secured for agricultural production. Enslaved people and indentured servants filled the labor void in colonial Jamestown. Africans, free and indentured arrived in Jamestown in 1619, while English indentured servants came years earlier.

Indentured servitude involved a voluntary labor contract with a “master”—owner of the contracted labor—or merchant. These written agreements stipulated the terms of employment for indentured servants. They received free passage to North America to be compensated with their labor. Terms and length of service varied depending on the age, gender, and skill of the worker. Early on, desperate for settlers and labor, the Virginia Company of London offered free land after seven years of labor. Many young single men under thirty years of age felt that the economic opportunity overseas was too great to turn down.

The first primary source of this set is a written account of colonial affairs by Robert Beverley, a Jamestown clerk and wealthy landowner. It was first published in 1705; the version included here is the second edition. Beverley served also as a member of the House of Burgesses from 1699-1706, and in 1703, its clerk. Beverley’s history of British America is a collection of personal accounts, published materials, and public papers. In his introduction, the author explained his purpose in writing, “Because it has been so misrepresented to the common People of England.” The impression being that “Servants in Virginia are made to draw in Cart and Plow” and that the “Country turns all People black, who go to live there...."
Beverley wanted to disavow Englishmen of the impression that white people, because they toiled alongside black people, had somehow transformed and assumed the status of their laboring counterparts. He set the record straight that white and black people were unequal. In this excerpt, Beverley notes the most important disparity between the enslaved and indentured servants. “Slaves,” by the time of his writing, were bound for a lifetime of service (image 235). On the other hand, indentured servants served “only for a few years, according to the custom of the country.”

In addition, there were several contrasts in the labor and living conditions of laborers by race and gender (image 235-236). Whereas both white and black people worked the same jobs on a farm or plantation, they did not receive the same clothes or food. Also, in general, white women did not toil in the fields. To bolster his account that indentured servants were in fact treated fairly, he includes laws protecting servants in Virginia (image 237).
LEGAL EVENTS IN AFRICAN AMERICAN HISTORY*

1640
John Punch, African and indentured, ran away and received a life sentence in Virginia; his white counterparts only received three-year sentences.

1641
Massachusetts authorized slavery with legislation.

1660
Virginia specifically punished indentured servants who ran away with enslaved people.

1662
Virginia determined birthright of Africans based on the status of the mother rather than the father, as had been the British custom for centuries.

1680
Virginia enacted the first major slave codes.

1705
Virginia relegated the enslaved, Indians, and mulattos to the status of property.

1776
Declaration of Independence signed.

1820
Missouri Compromise created rules for the expansion of slavery into western territories and prohibited slavery north of the 36° 30’ latitude except in Missouri.

1850
Fugitive Slave Act of 1850 required citizens to assist in the return of escaped “slaves” to their owners.

1857
Dred Scott v. Sanford (Missouri) declared that all blacks—the enslaved as well as free—were not and could never become citizens of the United States.

1863
The Emancipation Proclamation took effect.

1864
The Fugitive Slave Act is repealed.

1865
Thirteenth Amendment to the U.S. Constitution abolishes slavery.
The Library of Congress timeline outlines key events in the legal status of Africans in America. At every level of government, officials sought to secure and profit from those held in bondage. This included designating enslaved people as taxable property, prohibiting their every movement, expanding the boundaries of slavery, and making slavery an inheritable status. The transition from indentured servitude to slavery as the largest system of labor in the late seventeenth century are captured in the increasingly racialized and discriminatory legal codes throughout colonial America.

The colonists treated white and black laborers differently in custom and law. Robert Beverley’s account makes this clear. Half a century earlier, in one of the first documented instances of a lifetime sentence of servitude, on July 9, 1640, we see Beverley’s same jurisdiction (council and general court) codify and reinforce racial hierarchies.

Records of the deliberation in the punishment of three captured runaways reveal how the colonists created systems of control and power. First, running away was a crime that would involve punishment by the courts. Second, justice would be unequal racially between the three—the Scotchman, Dutchman, and the “negro,” presumably African. In their ruling, the colonists legally established that Africans could be forced to labor for a lifetime. Colonial authorities ordered that John Punch, an African servant, “fhall  ferve his faid mafter or his affigns for the time of his natural Life here or elfwhere.” (This raises an important question of how long Punch’s term of employment was initially.) Third, local government could and would obligate labor. The Dutchman and Scotchman caught with Punch had one year added to their labor contract with their “master” and three additional years to “ferve the colony” (i.e., community service). In the eyes of the law, whether someone was white or black, free, indentured, or enslaved mattered. Social, political, and economic opportunities and limitations were contingent upon these distinctions.

July 9, 1640

Whereas Hugh Gwyn hath by order form this Board Brought back from Maryland three fervants formerly run away from the faid Gwyn, the courth doth therefore order that the faid three fervants fhall receive the punifhment of whipping and to have thirty ftripes apiece one called Victor, a dutchman, the other a Scotchman called James Gregory, fhall firft ferve out their time with the their mafter according to their Indenturess, and one whole year apiece after the time of their fervice is Expired. By their faid Indentures in recompenfe of his Lofs fuftained by their abfence and after that fervice to their faid mafter is Expired to ferve the colony for three whole years apiece, and that the third being a negro names John Punch fhall ferve his faid mafter or his affigns for the time of his natural Life here or elfwhere.

Minutes of the Council and General Court of Colonial Virginia, ed. H.R. McIlWaine (Virginia State Library, 1924), page 466.
To reinforce the subservient status of enslaved people, in 1662, the Virginia’s lawmakers defined their status legally. Black children inherited the legal status of their mother. Therefore, children born to enslaved women were also held in bondage. This act benefitted owners in ensuring they would own generations of free Black labor.

Be it therefore enacted and declared by this present grand assembly, that all children borne in this country shall be held bond or free only according to the condition of the mother.
The instability in access and control of British indentured servants contributed to a reliance on forced African slave labor. Planters eventually turned to slave labor to cut costs by the end of the 1600s. Tobacco crops in the Chesapeake Bay and rice cultivation in Carolina required intensive labor. The supply of indentured servants from England did not fill the labor demand. In addition, newly freed indentured servants required contract payments of land and/or goods that became costly and was the source of grievances. Bacon’s Rebellion in 1676 highlighted the political, cultural, and economic tension brewing between the elite (planters and social elite) and poor whites (free and indentured), as well as local Native Americans.

The rebellion aimed to overthrow Sir William Berkeley, the royal governor, and seize the land of neighboring Native Americans (allies and foes of the colony). Prior to the rebellion, Governor Berkeley had border and trade agreements with Powhatan tribes. This limited whites from settling into ally Indian territory. This greatly upset small planters and poor whites who saw their upward mobility constrained by a local Indian war, a drop in tobacco prices, limited frontier land, and heavy taxes imposed by the royal colony. Nathaniel Bacon, a young planter and recent arrival to Virginia, led frontier settlers, young planters, freed and runaway indentures, and some slaves in unsanctioned raids and attacks on local Indians. Towards the end of the months-long standoff, Bacon burned down Jamestown which forced the governor to retreat. The rebellion died down when Bacon died suddenly in October 1676 of illness; opposition militia returned home after exterminating area Indians; royal troops arrived; and the governor hanged a majority of rebellion leaders.

Bacon’s Rebellion is important for creating racial solidarity among whites, regardless of status, in their hatred of Indians and common ground for social mobility through land acquisition and slave-based labor. In the following excerpts are eye witness accounts of the rebellion and more racially restrictive statutes in 1680-1682 passed by Virginia’s assembly once Governor Berkeley was relieved of his position by the crown. The latter made Indian women taxable property, legalized Indian slavery, and prohibited slave movement and punishment for possession of weapons.

In an hour or more after these violent concussions [Governor Sir William Berkeley had moments earlier challenged Nathaniel Bacon to shoot him when he refused to grant Bacon a commission to raid Indians], from us to go against the Indians; our speaker sat silent….

Transcription courtesy of the Library of Congress
An act for preventing Negroes Insurrections (June 1680)

WHEREAS the frequent meeting of considerable numbers of negro slaves under pretence of feasts and burials is judged of dangerous consequence; for prevention whereof for the future, be it enacted by the kings most excellent majesty by and with the consent of the general assembly, and it is hereby enacted by the authority aforesaid, that from and after the publication of this law, it shall not be lawful for any negro or other slave to carry arms, offensive or defensive; or go from his master's ground without a certificate from his master, mistis or overseer, and such permission not to be granted but upon particular and necessary occasions; and every negro or slave so offending not having a certificate as aforesaid shall be sent to the next constable, who is hereby enjoined and required to give the said negro twenty lashes on his bare back well laid on, and soe sent home to his said master, mistis or overseer. And it is further enacted by the authority aforesaid that if any negro or other slave shall presume to lift up his hand in opposition against any christian, shall for every such offence, upon due proof made thereof by the oath of the party before a magistrate, have and receive thirty lashes on his bare back well laid on. And it is hereby further enacted by the authority aforesaid that if any negro or other slave shall absent himself from his master's service and lie hid and lurking in obscure places, committing injuries to the inhabitants, and shall resist any person or persons that shall by any lawful authority be employed to apprehend and take the said negro, that then in case of such resistance, it shall be lawful for such person or persons to kill the said negro or slave so lying out and resisting, and that this law be once every six months published at the respective county courts and parish churches within this colony.
An Act repealing former laws noting Indians free, November 10, 1682

(Original manuscript, 330/483)
An Act repealing former laws noting Indians free, November 10, 1682 
(Transcription of original manuscript)
An Act declaring Indian women servants Tithables, November 10, 1682

(Original manuscript, 331/483)

An act declaring Indian women servants Tithables.

Act the 2d.

WHEREAS it hath been doubted, whether Indian women servants sold to the English above the age of sixteen yeares be Tithables, as it enacted and declared, and it is hereby enacted and declared, by the Governor, Council, and Burgesses of this General Assembly, and the Authority thereof, that all Indian women are shall be Tithables, and ought to pay Levies in like manner as negro women brought into this Country doe, and ought to pay.

(Transcription of original manuscript)
An Additional Act for the better preventing insurrections by negroes, November 1682

(Original manuscript, 332/483)
An Additional Act for the better preventing insurrections by Negroes, November 1682

(Transcription of original manuscript)
Citations
Sources are listed as they appear in the text.)


*A note about the Library of Congress’s Thomas Jefferson Collection:

Manuscript Volume 1: Thomas Mathew, a contemporary observer of Nathaniel Bacon’s rebellion in Virginia, wrote this account in 1705. Rufus King of New York, while ambassador to the court of St. James in London, purchased this volume and sent it to Jefferson with a December 20, 1804, letter. The volume King purchased may have been the original manuscript or a seventeenth- or eighteenth-century transcript of the original. Upon receiving the volume, Jefferson made his own exact transcription of Mathew’s account of Bacon’s Rebellion and arranged for its publication in *The Enquirer* (Richmond, Virginia). Jefferson’s transcription was published in installments in *The Enquirer*, September 1, 5, and 8, 1804.

Manuscript Volume 9: Virginia, Laws, 1662-1702, Charles City Manuscript. (Sowerby 1827). This manuscript volume originated in the clerk’s office of Charles City, which by 1614 was one of several outlying settlements in Virginia. Thomas Jefferson wrote George Wythe on January 12, 1796, that he had found it in “Lorton’s tavern” in Virginia, where it was being used as “waste paper.” Scribbled around and on top of the laws are doodles, drawings, calculations, curses, boasts, practice signatures, and drafts of letters—a record of the time it spent in Lorton’s tavern before Jefferson rescued it.

Manuscript Volume 10: Virginia, Laws, 1662-1697, the Peyton Randolph Manuscript. (Sowerby 1828). Originally owned by Sir John Randolph (1693-1736) and then by his son Peyton Randolph (1721-1775), whose library Jefferson purchased in 1776.

- An Act for Mulatto children being bond of free to serve according to condition of the mother (December 1662, Image 10)
- An act for preventing Negroes Insurrections (June 1680, Image 322)
- An Act repealing former laws noting Indians free (Nov. 1682, Image 330)
- An Act declaring Indian women servants as tithables (Nov. 1682, Image 331)
- An Additional Act for the better preventing insurrections by negroes (Nov.1682, Image 332)
- Transcription of The Peyton Randolph Manuscript collection and early colonial law: William Waller Hening, *The Statutes At Large: Being a Collection of All the Laws of Virginia, From the First Session of the Legislature, in the Year 1619.*.: Published Pursuant to an Act of the General Assembly of Virginia, Passed On the Fifth Day of February One Thousand Eight Hundred and Eight. : Volume I[-XIII], (New-York:: Printed for the editor, by R. & W. & G. Bartow.), 1823. (Page 170) [Annotations in the margin are the editor’s and not a part of the original text.]

Thomas Mathew, Thomas. *The Beginning, Progress and Conclusion of Bacon’s Rebellion in Virginia in the Years 1675 & 1676*, July 13, 1705.
Additional Resources

Indenture and emancipation deeds are available online at loc.gov. Search “indenture.” Here are a few examples:

- [Emancipation deed from Robert Kearney Moore to Nanny, 1802](https://example.com/indenture/1802)
- [Sales contract between Thomas Jefferson and James Madison for an indentured servant's remaining term, 19 April 1809](https://example.com/indenture/1809)
- [Hiring out agreement for an African American family](https://example.com/indenture/

Drawings, photographs, and broadsides related to the sale of slaves are available at loc.gov as well:

- [Edward Cox to Andrew Jackson, February 11, 1794](https://example.com/slavery/1794)
- [A slave auction at the south, 1861](https://example.com/slavery/1861)
- [Negroes for sale, 1842](https://example.com/slavery/1842)
- [Slave pen, Alexandria, Va. 1865](https://example.com/slavery/1865)