

Slave Laws: Jamestown Colony (1619-1670)

Indentured servants were an important part of the labor force in seventeenth-century Virginia, providing cheap labor for the light industry. These were people held in servitude for a period of time, but not for their entire life. Indentured servitude eventually developed into slavery.

Before the United States was an independent country, laws in the colonies were enacted by Assemblies to protect the interests of people who owned indentured servants. A number of laws were enacted governing how masters and servants were to behave. One of the first recorded cases of a dispute between servant and master was discussed in the first meeting of the elected Assembly at Jamestown in 1619.

August 3, 1619:

Captain William Powell presented a petition to the general Assembly against one Thomas Garnett, a servant of his, not only for extreme neglect of his business ... and for openly and impudently abusing his house, in sight both of Master and Mistress, through wantonnes with a woman servant of theirs, a widow, but also for falsely accusing him to the Governor both of Drunkenness and Theft, and besides for bringing all his fellow servants to testify on his side, wherein they justly failed him. It was thought fit by the general assembly that he should stand four days with his ears nailed to the Pillory... and every of those days should be publicly whipped. (Tyler, Narratives of Early Virginia, 268.)

Additional laws were enacted to control the behavior of servants, including marriage, and how to punish runaway servants. Punishments for marrying without permission, or for trying to run away, often involved increasing the time they were held in servitude.

March, 1642:

... Be it enacted and confirmed by this Grand Assembly that what man servant soever hath since January 1640 or hereafter shall secretly marry with any maid or woman servant without the consent of her master ... he or they so offending shall in the first place serve out his or their time with his or their masters or mistresses, and after shall serve his or their master or mistress one complete year more for such offence committed ... And the maid or woman servant so marrying without consent as aforesaid shall for such her offence double the time of service with her master.
... Be it therefore enacted and confirmed that all runaways that shall absent themselves from their said masters service shall be liable to make satisfaction by service at the end of their times by indenture double the time of service so neglected ... And if such runaways shall be found to [run away a] second time... they shall be branded in the cheek with the letter R. (Hening, I, 252-255)

Indentured servants were not all African American, and their owners were not all white. This 1670 law decides the question of whether free Indians or African Americans would be allowed to own indentured servants who are “Christian,” which in this context means white.

October, 1670:

Whereas it hath been questioned whether Indians or negroes [who are] free, could be capable of purchasing christian servants, It is enacted that no negro or Indian, though baptised and enjoined of their own freedom shall be capable of any such purchase of christians, but yet not debarred from buying any of their own nation. (Hening, II, 280-281)

These laws can be found at <http://www.virtualjamestown.org/servlaws.html>. The spelling of some words has been changed in this transcript for readability.