COLONIAL LAWS (DIVIDE AND CONQUER) – EXAMPLE OF LAWS

Because today's racial divisions run so deep in the United States, we tend to think of them as normal. However, there is a cause for everything, and it is not always as simple as you might think.

1. **Predict the measures that were taken to keep Indians and blacks from uniting, or that may have even made them to feel hostile toward one another.**

   1. As one white Carolinian put it, we need a policy "to make Indians & Negros check upon each other lest by their vastly superior numbers we should be crushed by one or the other." Laws were passed to prohibit free blacks from traveling in Indian country. Treaties with Indian tribes required the return of fugitive slaves.

   2. A 1683 New York law made it a crime for "Negro or Indian slaves" to meet anywhere together in groups of four or more or to be armed "with guns, Swords, Clubs, Staves, or Any Other kind of weapon."

   3. A 1690 Connecticut law forbade Indians and blacks from walking beyond the town limits without a pass. Connecticut, Rhode Island, and Massachusetts all had a 9 p.m. curfew for blacks and Indians.

   4. A 1773 New York law was passed "to prevent Negro and Indian slaves from appearing in the streets after eight at night without a lantern with a lighted candle in it."

   5. Whites often hired local Indians to hunt down escaped African slaves. In 1676, Maryland offered rewards to Indians for capturing black slave runaways. In 1740, South Carolina offered Indians £100 for each slave runaway captured alive and £50 for "every scalp of a grown negro slave."

   6. In 1729, South Carolina hired Catawba Indians to recapture or kill enslaved blacks who had rebelled in Stono, S.C.

   7. In 1725, South Carolina outlawed bringing any black slaves to the frontier. As a British colonel said, "The slaves ... talk good English as well as the Cherokee language and ... too often tell falsities to the Indians which they are apt to believe."

   8. A large number of Indians were sold as slaves to the West Indies. In a single year, over 10,000 Indians slaves were shipped in chains to the West Indies from the port of Charleston, S.C.

   9. The British sent black troops to fight the Natchez Indians in the Yemassee War of 1715. In New Orleans, the governor sent armed blacks to massacre Chouchas Indians.

   10. The British encouraged the so-called Five Civilized Tribes—the Cherokee, Creek, Chickasaw, Choctaw, and Seminole—to enslave Africans, as the whites were doing. Ultimately, slaves made up between 10 and 20 percent of all five groups but the Seminoles. The Cherokee adopted a "slave code" to prevent blacks from learning to read and write and provided that if a slave ran off, other tribe members were obligated to catch the runaway. Slavery contributed to inequality within each Indian nation. Only a relatively small elite of 12 percent of the Cherokees owned slaves.

2. **Predict laws or policies adopted to discourage white indentured servants and black slaves from running away together.**

   1. A 1661 Virginia law provided that "in case any English servant shall run away in company of any Negroes" he would have to suffer extra years of servitude to the master of the escaped slave.
3a. Predict how poor whites and white indentured servants were taught to believe that they were superior to and didn’t have anything in common with blacks.

1. All whites were encouraged to believe that they were superior to blacks and laws were passed that underscored their superiority. For example, a 1723 Maryland law provided for cutting off the ears of any black person who struck a white person.

2. A Virginia colonial law sentenced whites to 25 lashes for stealing a pig, but increased it to 39 lashes if the person were black or Indian.

3. Poor whites were enlisted to hunt down runaway slaves, and were put on slave patrols.

4. A 1705 Virginia law required that when a white servant’s period of indenture was over, a master must provide men with 10 bushels of corn, 30 shillings, and a gun; and women with 15 bushels of corn and 40 shillings. The freed servants were also to be given 50 acres of land.

5. After Bacon’s Rebellion in 1676, amnesty was given to whites but not to blacks.

6. White servants were given numerous advantages not given to black slaves, including the right to testify against their masters in court if they were not treated properly.

3b. Predict how blacks and whites were kept separate, so that whites would not even imagine getting together with blacks.

1. A 1691 Virginia law provided that “any white man or woman being free who shall intermarry with a negro, mulato, or Indian man or woman bond or free” shall be banished.

2. Virginia, Massachusetts, Maryland, Delaware, Pennsylvania, the Carolinas and Georgia all passed laws prohibiting interracial marriage.

3. In southern colonies, according to historian Joseph P. Cullen, if a white female indentured servant had a child by a black man she would be punished by public whipping and her period of indenture would be doubled.

4. Predict the measures adopted to ensure that on every plantation there were enough white overseers in relation to black slaves. How might white owners have found more white indentured servants to help supervise blacks?

1. In 1698, South Carolina passed a “deficiency law” that required every plantation owner to have at least one white servant for every six male adult black slaves.

2. As Howard Zinn points out, servants were acquired from Great Britain, and later from Ireland and Germany, by “lures, promises, … lies, by kidnapping …” Kidnappers would sell servants to the highest bidder in the American colonies.

3. In 1717, the British parliament made transportation to the American colonies a legal punishment for committing certain crimes. Tens of thousands of convicts were sent to Maryland, Virginia, and other colonies.