

"Whoever Takes Her Up, Gives Her 50 Good Lashes, and Deliver Her to Me": Women Slave-Owners and the Politics of Slave Management in South Carolina, c1691-1740.¹

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ABSTRACT This study establishes that women slave-owners were specifically inscribed into South Carolina's laws on slave management from the first decades of English colonisation. Mistresses were explicitly named alongside masters or incorporated into the gender-neutral rubric of owner in a common understanding that absolute ownership and authority over enslaved people was as much rooted in female mastery as male. Remarkably, neither the scholarship on women slave-owners nor the far more voluminous scholarship on American slave laws and slave management have explored, or even acknowledged, how gender influenced the formulation of American slave laws, and how mistresses, in particular, featured in the roles and duties assigned to slave-owners in the management of slaves. This study seeks to redress this by examining how South Carolina's lawmakers incorporated women slave-owners into the colony's slave laws, culminating with an assessment of the 1740 slave code, which marked a key turning point in the colony's laws governing the management of slaves, as well as an evolving ideology of female mastery.

KEYWORDS women; slave-owners; slave laws; colonial; South Carolina

Whereas a Negro man named Dick slave of Mrs. Martha Jones being now in custody of the law for killing a Negro woman slave of the said Jones's when the late act for the better ordering of slaves was expired.

Be it therefore enacted by the authority aforesaid that the Negro man shall be tried impleaded [sic] & prosecuted & if found guilty thereof condemned & executed thereon in such manner & form as in like part is in this act ordained & appointed, & if the said slave shall be found guilty & executed for the same, she the said Jones shall be allowed so much money to be paid out of the public treasury in manner & form as in such cases in this act is made & provided.

An Act for the better ordering of Slaves, 1701.²

When Martha Jones' slave, Dick, was taken into custody for allegedly killing her (unnamed) slave woman, Jones found herself in a legally and financially precarious position, for there was no guarantee that she would be compensated for Dick's death under the provision of the colony's expired 1696 slave law should he be found guilty and executed. Her case came before the South Carolina Assembly in a motion brought by one of its members on her behalf, who requested that thirty pounds be "allowed her for a negro man yt committed upon a negro woman slave when ye

¹ The author would like to thank Trevor Burnard, Natalie Zacek, Cara Anzilotti and Christine Walker for their helpful comments on this article.

² "An Act for the better Ordering of Slaves (1701)" Rawlinson MSS C155 folios 273r-77r, Bodleian Library, Oxford.

late act for ye Better ordring [sic] of slaves was Expired". The Assembly concluded: "The question is Putt whether a Clause Shall be added to ye said act, for Tryall of the sd Negro according to the Direction of ye Sd act/. Carried in the affirmative."³ To my knowledge, no scholarship has yet acknowledged Martha Jones' curious appearance in the 1701 slave law.⁴ Yet her presence in the statute points to how women slave-owners and their slaves both affected and were affected by the colony's laws regarding slave management. Martha Jones' case, moreover, was not exceptional. Following consideration of her motion, a similar such appeal was tabled in support of "Mdm Elizabeth Blake". "Haveing [sic] a negro man Slave which Runn away, and was killed by a white man when ye late negro act was Expired", it was put to the Assembly that she "might be paid for out of the Public money."⁵ The Assembly agreed and proceeded with a second reading of the bill which, following amendments, including the ruling on Martha Jones and her enslaved man, Dick, passed into law on 28 August 1701.

Until recently, the prevailing scholarship on American slavery overlooked the existence of women slave-owners such as Martha Jones and Elizabeth Blake, resulting in a misleading impression that their status was too exceptional to warrant much scrutiny, and, consequently, that white women's role in the development of slavery was negligible.⁶ Yet from the first decades of English colonisation in South Carolina, white women were heavily invested in the business of slavery:

³ A.S Salley Jnr, ed., *Journal of the Commons House of Assembly of South Carolina, August 13, 1701 - August 28, 1701* (Columbia, SC: Historical Commission of South Carolina, 1926), 12. Hereafter *JCHA*.

⁴ L. H. Roper, "The 1701 'Act for the better ordering of Slaves': Reconsidering the History of Slavery in Proprietary South Carolina" *William and Mary Quarterly* (April 2007): 395-418.

⁵ *JCHA* August 13, 1701 - August 28, 1701, 12-13.

⁶ For scholarship focused on women slave-owners, see, Cara Anzilotti, "Autonomy and the Female Planter in Colonial South Carolina" *Journal of Southern History* (1997): 239-268; *Ibid*, *In the Affairs of the World: Women, Patriarchy and Power in Colonial South Carolina* (Santa Barbara, CA: Greenwood Publishing Group, 2002); Kirsten E. Wood, *Masterful Women: Slaveholding Widows from the American Revolution through the Civil War* (Chapel Hill: University of North Carolina Press, 2004); Inge Dornan, "Masterful Women: Colonial Women Slaveholders in the Urban Low Country", *Journal of American Studies* (2005): 383-402; *Ibid*, "To 'make a good Mistress to my servants': Unmasking the Meaning of Maternalism in Colonial South Carolina" in Lawrence Aje and Catherine Armstrong, eds, *The Many Faces of Slavery: New Perspectives on Slave Ownership and Experiences in the Americas* (London: Bloomsbury Academic, 2019): 55-69; William Henry Foster, "Women Slave Owners Face their Historians: Versions of Maternalism in Atlantic World Slavery" *Patterns of Prejudice* 41 no.3 (2007): 303-320; Stephanie E. Jones-Rogers, *They Were Her Property: White Women as Slave Owners in the American South* (New Haven: Yale University Press 2019); Christine Walker, *Jamaica Ladies: Female Slaveholders and the Creation of Britain's Empire* (Chapel Hill: University of North Carolina Press, 2020).

buying, selling, bequeathing, conveying, importing, hiring, and hiring out enslaved people.

Ownership of enslaved women and men also came with a range of duties and obligations towards the colony, which meant that women slave-owners were just as heavily invested in the politics of slavery as men were: paying taxes, contributing to the colony's militia and slave patrols, sending their male slaves to build public roads, wharves, bridges and fortifications, and, when the colony was under threat of attack from external enemies, dispatching their male slaves to take up arms in its defence; as well as meeting their responsibility as slave-owners to manage their slaves in such a way as to maintain the colony's peace.

Proof of the significance of women's role in the business and politics of slavery lies in the fact that the colony's legislators specifically inscribed female slaveholding into its slave laws. Leaving no room for doubt as to whom the laws on slave management addressed, *mistresses* were explicitly named alongside *masters* or incorporated into the gender-neutral rubric of *owner* in a common understanding that absolute ownership and authority over enslaved people was as much rooted in female mastery as male. Not all the colony's slave laws applied equally to mistresses and masters, however. Some were based on an ideology of slave management that was profoundly patriarchal, and which in some respects operated to counter women's ownership and management of slaves. In such circumstances, the colony's lawmakers saw the need to draw a distinction between the responsibilities and duties of men and women slave-owners based on gender. This approach nonetheless changed over the course of the early colonial era, such that, by the 1740 slave code, the gendered distinctions in the laws applying to women and men slave-owners almost, albeit not entirely, disappeared. Remarkably, neither the scholarship on women slave-owners nor the far more voluminous scholarship on American slave laws and slave management have explored, or even acknowledged, how gender influenced the formulation of American slave laws, and how *mistresses*, in particular, featured in the roles and duties assigned to slave-owners in the management of slaves.⁷ This study seeks to redress this by examining how South Carolina's legislators incorporated

⁷ Christine Walker briefly mentions mistresses in Jamaica's slave laws, Walker, *Jamaica Ladies*, 62.

women slave-owners into the colony's slave laws, culminating with an assessment of the 1740 slave code, which not only marked a key turning point in the colony's laws governing the management of slaves, but also, I contend, in an evolving ideology of female mastery. In so doing, I concentrate on how women's slave-ownership came to be politicised through the laws governing slave management during the early colonial era. Law and practice are of course not one and the same. My foremost concern here is to identify how gender influenced lawmakers' ideas about female slave-ownership, and how this changed over time, rather than provide an account of the lived experiences of individual women slave-owners and their slaves.⁸

It is no accident that South Carolina's first slave laws were modelled on those of Barbados and Jamaica. A number of the colony's Lords Proprietors possessed slaves and plantations in both islands, and a proportion of South Carolina's first permanent free white colonists came from the Caribbean, including the self-styled Barbados Adventurers. Lady Margaret Yeamans was one such Adventurer. Before leaving Barbados for South Carolina in 1671, her husband, Sir John Yeamans, arranged for her to become the owner of an enslaved woman and her three children: "old Hannah & hir children Jupeter little Tony & Joane". The following year, when she departed for South Carolina, she took Hannah and Hannah's children, Jupeter and Joane, with her: little Tony was not included in their company. Possibly he had died beforehand, succumbing to premature death like so many enslaved children in the Caribbean, or, just as likely, Margaret Yeamans chose to leave him behind. Her decision to ship five more of her slaves plus a servant from Barbados to South Carolina – "her own proper Negroes namely ... Rentee, Gilbert, Resom, Jossee & Simon, and one man servant John: Hopkins"- suggests that she had few qualms about separating enslaved people from their kith and kin.⁹ For boosting the colony's population with "soe many servants and negroes," Lady Margaret Yeamans was well remunerated by South Carolina's Lords Proprietors with a total land grant of

⁸ For a list of publications examining the nature of women's slave-ownership, and their slaves' experiences of slavery, see fn 5.

⁹ Peter H. Wood, *Black Majority: Negroes in Colonial South Carolina from 1670 through to the Stono Rebellion* (New York: W.W. Norton, 1975), fn 30, 23.

1,950 acres. She was not the only woman slave-owner to import enslaved and indentured people into the colony in this period, although she was among the wealthiest.¹⁰ As her example illustrates, South Carolina's first generation of women slave-owners not infrequently had prior knowledge and experience of slave-ownership and of the laws and practices of Caribbean slave management before settling in South Carolina. These women contributed not only enslaved people and servants to expand white settlement of South Carolina, but also their knowledge and experience of the institution of slavery and slave management to furthering the establishment of slavery in the colony. The longstanding notion, now being challenged by historians, that white women played only a marginal or negligible role in the development and expansion of slavery is belied by the visible and vital contribution that women such as Margaret Yeamans, Elizabeth Blake and Martha Jones played as slave-owners in the transformation of South Carolina into a slave society from the very first decades of English colonisation.¹¹

From the introduction of the colony's first slave laws in the 1690s, women slave-owners were identified alongside their male counterparts as being responsible and accountable for the management – including punishment - of their slaves. In this, the colony's legislators followed Caribbean precedent. In seventeenth-century Jamaica, women were sufficiently active among the island's pool of slave-owners to warrant specific inclusion in its slave laws.¹² When South Carolina's legislators introduced the colony's first slave law in 1691, which was more or less a replica of Jamaica's 1684 slave law, they stuck with Caribbean custom and cited *mistresses*, along with masters and overseers, and the more gender-neutral term *owners*, in the laws on slave management. Needless to say, it made sense to include *mistresses* in the slave laws when female colonists such as Margaret Yeamans and others had been settling in the colony with "soe many servants and negroes"

¹⁰ "Table II Land-Grant Records of Early South Carolina – with servants noted" in Warren B. Smith, *White Servitude in Colonial South Carolina* (Columbia: University of South Carolina Press, 1961), 12-16.

¹¹ See fn 5.

¹² Walker, *Jamaica Ladies*, 62.

and staking their claims to land on which to build plantations since before the colony's first slave laws were introduced.¹³

Between 1691 and 1740, South Carolina's legislators enacted a series of slave laws setting out the range and remit of slave-owners' management responsibilities for slaves. In most cases, the laws applied equally to male and female slave-owners to observe and enforce. The 1691 slave law opened by declaring: "no *person* whatsoever shall send or give leave to any negro or Indian slave, under *his* or *their* care, charge or ownership, to go out of *their* plantations, without a ticket, or one or more white men in their company." Masters and mistresses were instructed to "diligently and effectually" search their slaves' houses once a month for weapons, on pain of a fine. "Every master, *mistress, overseer*" was also prohibited from allowing "any Saturday in the afternoon to any negro or slave, as hath been accustomed formerly, upon the penalty of seven shillings for every such default made." It was also down to all plantation-owning mistresses and masters to apprehend any slave found on their plantation without a ticket and to "punish them by moderate whipping," or face a fine. That the law penalised slave-owners who *failed* to punish slaves speaks volumes about the colony's approach to slave management at this time.¹⁴

The 1691 slave law also made it an offence for a slave to strike a white person. If found guilty, they were "severely whipped by the constable". For a second offence, they were "severely whipped, *his* or *her* nose slit, and face burnt in some place". For a third offence, they were sentenced to death. The 1691 slave law also acknowledged the possibility that an enslaved person might die or lose a limb while suffering punishment. It is noteworthy that this clause acknowledged that female slave-owners were just as capable of killing or maiming their slaves as their male counterparts. Indeed, the colony's legislators did not treat the killing or disabling of a slave by their owner as a crime: "if any slave, by punishment from their *owner* for running away or other offence, shall suffer in life or limb, no *person* shall be liable to the law for the same." An additional clause

¹³ Smith, *White Servitude*, 14.

¹⁴ The 1691 statute is mistakenly recorded as 1690 in David J. McCord, ed., *The Statutes at Large of South Carolina* Vol 7 (Columbia, SC: A.S. Johnston, 1840), 343-347. My italics.

conceded that women and men were equally culpable of killing a slave in cold blood: “if *any one* out of wilfulness, wantonness, or bloody mindedness, shall kill a slave, *he* or *she*, upon due conviction thereof, shall suffer three months imprisonment ... and also pay the sum of fifty pounds to the *owner* of such slave.” Crucially, the instruction to pay the slave’s owner signals that the colony’s legislators did not view the wanton murder of a slave by his or her owner as a crime; only strangers could be held guilty of this act. If the offender was a servant, moreover, an additional clause stated: “*he* or *she* shall receive on *his* or *her* bare back, nine and thirty lashes,” and after their indenture “be liable to serve the *owner*” of the slave.¹⁵ In the eyes of the law, slave-owning status and class, more than gender, determined the liability of persons culpable of the killing and disabling of enslaved persons.

Gender was nonetheless a factor in discriminating between the nature of punishments inflicted for certain crimes on enslaved women and enslaved men. The 1696 slave law, for example, departed from Caribbean slave laws in this period by introducing castration as a method of punishment for enslaved runaway men. First-time offenders over sixteen years of age who had been on the run for two weeks or more were branded with an R. Second-time offenders were castrated. Enslaved women runaways were not made to suffer sexual mutilation upon a second offence, but were nonetheless physically mutilated by having an ear cut off.¹⁶ South Carolina’s decision to inflict castration for second-time male runaways - a form of punishment which one early modern scholar describes as “a means to annihilate the victim as an independent subject without losing his economic value” - represents one of several “cruel and unusual” methods of slave punishment that South Carolina adopted to assert control over a fast-growing, largely adult population of enslaved African and African-descended men.¹⁷

¹⁵ Ibid. My italics.

¹⁶ Edward B. Rugemer, *Slave Law and the Politics of Resistance in the Early Atlantic World* (Cambridge, Mass., Harvard University Press, 2018), 71.

¹⁷ Alanna Skuse, “‘One Stroak of His Razour’: Tales of Self-Gelding in Early Modern England” *Social History of Medicine* vol. 33, 2 (2020): 383.

The 1701 slave law revisited the punishments meted out to repeat runaways. In a clause suggesting that, in the eyes of the law, castration had not gone far enough to deter enslaved men from absconding, the colony's legislators invented an additional and no less terroristic method of punishment:

every slave that hath been gelded for running away from his master, mistress or owner which shall after such gelding run away & shall be so continuously by the space of thirty days at one time, such slave by his master, mistress, overseer or head of the family's procurement shall suffer the punishment of having the cord of one of his legs to be cut off above the heel.¹⁸

Neither castration nor severing the Achilles' tendon were standard punishments of the day for criminals in England. Francis Le Jau, minister for the Society for the Propagation of the Gospel in South Carolina, reported how he strenuously opposed "with all my might" such a "very unhumane Law," which in his judgement was "very unjust". "I have openly declared against such punishment grounded on the law of God", he wrote, before adding: "When I look upon the ordinary cause that make those poor Souls run away, and almost dispaire [sic] I find it is imoderate [sic] labour and want of Victualls and rest."¹⁹ Whether such objections had any bearing on later amendments to this clause is not clear; the 1712 slave law deferred castration to the fourth (not second) offence for running away, and severing the Achilles' tendon to the fifth (not third) offence.²⁰

In a sign of the seriousness with which slave-owners were expected to enforce such punishments, the colony's legislators ruled that, if a slave-owner refused or failed to castrate or sever the Achilles' tendon of a repeat runaway, they forfeited their right to ownership of their slave.

¹⁸ "An Act for the Better Ordering of Slaves 1701."

¹⁹ Francis Le Jau, quoted in Wood, *Black Majority* fn 19, 135-136.

²⁰ "An Act for the Better Ordering and Governing of Negroes and Slaves 1712" McCord, ed, *Statutes* Vol 7, 359-360.

If an enslaved man died during the course of castration, the law awarded his owner twenty pounds in compensation.²¹ It is sometimes suggested that law and practice differed with regards to the barbaric punishments prescribed in South Carolina's early slave laws.²² It is thus worth calling attention to the following incident: a year after the enactment of the 1696 slave law, three runaway enslaved men were captured en route to St Augustine, in Spanish Florida, and "gelded" on the orders of the South Carolina Assembly. One of the three runaways, Cyrus, did not survive the trauma of castration, and his owner was duly compensated for his death.²³ The slave laws of the 1690s set the tone and direction of South Carolina's approach to slave management through to the introduction of the 1740 slave code. The system was designed, on the one hand, to control the enslaved population through surveillance and containment and, on the other, to coerce obedience through torture and terror. This system of "slave management" largely rested on the colony's slave-owning mistresses and masters to enforce.

South Carolina's legislators exhibited an increasingly ambivalent attitude toward women slave-owners' role in the management of slaves, as white anxieties about the security of the province surged in the face of a rapidly expanding enslaved population. Peter Wood argues that "the way local population figures were analyzed and altered suggests the dimensions of this uneasiness."²⁴ In addition to exaggerating the numbers of enslaved inhabitants, Wood contends that the colonists also presented a bewildering portrait of the disproportionate ratio of whites to blacks – reinforcing white fears about the threat posed by an enslaved black majority - by only counting and comparing the numbers of white men in the colony against the entire enslaved population. Thus, when it came to gathering demographic data to demonstrate the threat that increased numbers of enslaved persons presented to South Carolina's peace and security, white women and children were

²¹ Ibid.

²² For example, Eugene Sirmans argued that "South Carolinians did not enforce the harsher police provisions of this code of 1696", concluding that "most slave owners chose to deal gently with their bondsmen" in M. Eugene Sirmans, "The Legal Status of the Slave in South Carolina, 1670-1740" *Journal of Southern History* vol 28 (November 1962), 469.

²³ Rugemer, *Slave Law*, 72.

²⁴ Wood, *Black Majority*, 218.

erased from the colony's population estimates. This "tendency to measure white male adults against the entire black population," Wood argues, "took on increasing importance for European colonists as they felt themselves physically threatened by the number of Africans," such that "numerous population estimates after 1720, contrasting men on the muster rolls with all adults and children in the slave quarters," he concludes, "reflect the emerging concept of *white manhood* opposing a preponderant race."²⁵ The manipulation of demographic data to expunge the presence of white women in the colony – while continuing to count enslaved women and children – represents a staggering response on the part of the colonists to the felt threat posed by an ever-increasing and ever-rebellious enslaved population. By this reckoning, the presence of white women in the colony – and, more to the point, white women slave-owners – literally did not count in the eyes of the colonists when it came to counteracting the perceived menace posed by a black slave majority.

The colony's legislators variously and confusingly grappled with the conundrum of women's slave management in the succession of slave laws enacted in the years prior to the 1739 Stono Rebellion. The 1712 slave law is a case in point. It represented a clear departure from previous slave laws insofar as it marked the first time that South Carolina's legislators felt compelled to justify the colony's reliance on slavery and how it managed its slave population, through resorting to arguments that insisted upon the racial inferiority of the enslaved: "whereas, the plantations and estates of this province cannot be well and sufficiently managed and brought into use, without the labour and service of negroes and other slaves" and the "negroes and other slaves brought unto the people of this province ... are of barbarous, wild, savage natures", therefore "it is absolutely necessary" to enact laws "for the good regulating and ordering of them, as may restrain the disorders, rapines and inhumanity, to which they are naturally prone and inclined" and which "may also tend to the safety and security of the people of this province and their estates."²⁶ Mistresses as well as masters were reminded of the many and additional laws governing the control and

²⁵ Ibid., 219. My italics.

²⁶ McCord, ed., *Statutes*, Vol 7, 352.

punishment of slaves by which they were equally expected to abide. Most notable among these are those clauses in which the wording of the law was altered from previous incarnations to minimise or erase the role of mistresses altogether, such as the clause relating to the accidental or intentional killing of a runaway slave. The 1691 slave law, examined earlier, conceived that masters *and* mistresses were equally capable of killing their slaves when it employed the gender-neutral term of *owner*. By contrast, the 1712 slave law replaced *owner* with *master*, stating:

if any negro or other slave, under punishment by his *master*, or *his* order, for running away, or any other crimes or misdemeanours towards his said *master*, unfortunately shall suffer in life or member, which seldom happens, no person whatsoever shall be liable to any penalty.²⁷

Thereafter the wording shifted between gender-neutral and the masculine pronoun: “if any *person* shall, of wantonness, or only of bloody-mindedness, or cruel intention, violently kill a negro or other slaves of *his* own, *he* shall pay into the public treasury fifty pounds” and if “*he* shall so kill the slave of another *man*, *he* shall pay to the owner of the negro or slave, the full value, and into the public treasury, twenty-five pounds, but not be liable to any other punishment.”²⁸ The clause regarding servants who killed slaves remained word for word the same, imagining that it was possible that women and men servants were equally culpable of murdering a slave. It is difficult to say how much should be read into the gendered formulation of this particular clause. After all, references to masters and the use of the masculine pronoun were also employed as a generic masculine in the colony’s slave laws. Yet the numerous instances in which mistresses were specifically cited in the laws on slave management, and in this particular case in which the wording of the law was altered so as to specify masters, as well as women and men servants, but not mistresses, is intriguing.

²⁷ Ibid., 363. My italics.

²⁸ Ibid. My italics.

The colony's lawmakers betrayed an even greater sensitivity to gender with regards to the laws on plantation management. The 1701 slave law stipulated that "no person whatsoever ... shall settle or manage any plantation, cow pen or stock house *without one or more white men* living or residing thereupon upon the forfeiture of fifty shillings for each month so offending."²⁹ The implications of this rule were considerable for women planters, not least because it obliged them to employ (or invite) a white man to reside with them on their plantations. More to the point, it called into question the very basis of female mastery: by entirely invalidating the presence of white women on plantations (just as their numerical presence in the colony was invalidated in population estimates, as discussed earlier), and by linking authority and governance not to slave-ownership but to white masculinity. The question of whether the wording of this clause was a case of South Carolina's legislators casually slipping into the generic masculine or a policy designed to deliberately undermine the power and authority of white women planters only becomes clearer by examining the controversy that subsequently surrounded this policy. In the 1712 slave law, the colony's legislators overhauled the requirement to have one or more *white men* reside on plantations and replaced it with the gender-neutral *white persons*:

no person ... shall settle or manage any plantation, cow-pen or stock, that shall be six miles distant from his usual place of abode, and wherein six negroes or slaves shall be employed [sic], *without one or more white persons living and residing upon the same plantation*, upon the penalty or forfeiture of forty shillings for each month so offending.³⁰

However, just two years later, the colony's legislators had a change of heart, overturned the wording of the 1712 clause, and reverted to the resolutely patriarchal provision of 1701, which insisted that one or more *white men* must reside on a plantation – a policy which they retained in the slave laws

²⁹ "Act for the better Ordering of Slaves 1701." My italics.

³⁰ McCord, ed., *Statutes*, vol 7, 363. My italics.

of 1714, 1722 and 1735. In a final twist to this saga, on 27 January 1738, during the second reading of what became the 1740 slave code, the Assembly resolved upon the following:

In the the clause for obliging Owners of plantations whereon are 10 slaves to keep a White Man, a proviso to be inserted that it be not extended to Plantations upon which a white Woman resides.³¹

The 1740 slave code thus confirmed that it was not necessary for one or more *white men* to reside on a plantation, only *white persons*. Thus, finally, the Assembly endorsed white women's status and authority as planters and slave-owners, and in so doing certified that mastery was not a matter of gender but of race. Whether this was a genuine U-turn on the part of the Assembly or simply a clarification of a policy that had never been meant to extend to plantations on which white women planters resided is hard to say for certain. Either way, as the etymology of this clause demonstrates, gender played a not inconsiderable part in the politics of slave and plantation management in colonial South Carolina.

This was also true of the colony's militia and slave patrols, in which the role performed by women slave-owners in the operation of these institutions has long been overlooked by historians. The 1725 "Act for the Better Settling and Strengthening of this Province" stipulated that: "All *persons* possessing in their own right ... two thousand acres of land inclusive, shall furnish one indented [sic] servant, to serve in the militia", for which they were obliged to provide "an account yearly ... at the same time that he *or she* gives an account of their slaves or other estate they are taxable for"; but "if such person refuses to make oath, that he *or she* is possessed of one servant to serve in the militia," they were fined "for each servant he *or she* is so deficient" in registering. When it came to paying taxes on their slaves, women slave-owners, like their male counterparts, were also "doubly taxed for

³¹ J. H. Easterby, ed., *JCHA* November 10 1736 - June 7 1739 (Columbia: South Carolina Historical Commission, 1951), 429.

all his, *her*, or their land and slaves” in the event of “neglecting or refusing to give in such his, *her* or their account of land and slaves.”³²

The 1740 act to improve the patrol system was even more explicit about the contribution of women slave-owners to the militia and slave patrols:

Forasmuch as *all persons, as well women as men*, who are or shall be *owners of settled plantations* in any district, *ought to contribute to the service and security of that district ...* the captain of each company of foot militia ... make out and keep from time to time a special patrol list ... [in which] shall be inserted the names of *all owners of settled plantations lying therein, as well women as men* And which *persons, male and female*, whose names shall be so enlisted, *shall be answerable for the patrol service of that district severally, successively and in turns.*³³

Notwithstanding, a special clause was inserted in the act to exempt “such women who have not ten slaves, owner of a settled plantation in any district, to whom it may not be suitable or convenient to do duty in person.” Women slave-owners who operated as small-scale planters thus received special dispensation where, notably, their male counterparts did not; a sign that the colony’s legislators were conscious of how the duties and responsibilities they assigned to slave-owners specifically affected slaveholding women. Women slave-owners with more than ten slaves were instead treated on par with their male counterparts and expected to contribute to a collective and colony-wide system of policing and surveillance of the enslaved population. The law further instructed that when a “*man or woman* shall fail of having a sufficient person ready on any muster day to answer for and undertake the patrol service” they must pay someone to “do duty for him *or her*” until “he *or she* shall actually procure some other white person, between the age of sixteen and sixty, to ride

³² Thomas Cooper, ed., *Statutes at Large of South Carolina*, Vol 3 (Columbia: A.S. Johnston, 1838), 1725 Act, 255-257; 1734 Act, 386. My italics.

³³ *Ibid*, 569-570. My italics.

patrol for them.”³⁴ The law thus singled out small-scale women slave-owners for special treatment when it came to contributing to the slave patrol system, while for those women who possessed more slaves it was mandatory, as it was for all slave-owning men. In the latter case, however, the burden of fulfilling patrol duty did not fall equally on women and men slave-owners with ten or more slaves. Women planters would have to employ a white man to take their place or lose the service of a white man on their plantation for the duration of the patrol duty, while for male slave-owners there was the option of avoiding such a cost or loss of service by performing the duty themselves.

The 1740 slave code did more than any previous slave laws to underwrite women’s ownership and management of slaves in South Carolina. It was the first of the colony’s slave laws to clarify the status of slaves as chattel, as opposed to freehold property, and thus had a direct bearing on patterns of women’s slave-ownership in the colony: first, because women customarily inherited chattel goods, also known as personal property, more often than land or realty; and second, because widows in South Carolina were awarded absolute ownership, rather than a lifetime interest only, in chattel property as part of their dower. The result was that, in both law and practice, widows who inherited enslaved people had full power and autonomy to employ, sell, punish, bequeath, and even free them. In a colony with high mortality rates, and where common law restricted married women’s ability to own property independently of their husbands, unless they had a marriage settlement, the majority of women who were slave-owning mistresses in their own right in colonial South Carolina were widows. Through formalising the definition of enslaved people as chattel property in the 1740 slave code, both law and custom conspired to reinforce women’s ownership of slaves and to render explicit their role in the expansion and maintenance of slavery in South Carolina.

In a way that no previous slave laws had done, the 1740 slave code represented a re-evaluation of how cruelty toward the enslaved affected the colony’s peace and security, prompted

³⁴ *Ibid.*, 570. My italics.

in no small part by the Stono slave revolt of the previous year. The 1740 slave code thus stated that the enslaved were henceforth to be governed by:

positive laws, so that the slave may be kept in due subjection and obedience, and the owners and other persons having the care and government of slaves may be restrained from exercising too great rigour and cruelty over them ... [so] that the public peace and order of this Province may be preserved.³⁵

“Great rigour and cruelty” toward the enslaved were now seen to be a cause of slave unrest, rather than, as prior slave laws insisted, a means to quell it. Slave-owners were now urged to exercise restraint in their management of the enslaved. The colony’s lawmakers justified this new approach to slave management with a clause that, contrary to prior slave laws, punished slave-owners who callously murdered their slaves, on the following, noteworthy grounds:

*And whereas cruelty is not only highly unbecoming [in] those who profess themselves christians, but is odious in the eyes of all men who have any sense of virtue or humanity; therefore, to restrain and prevent barbarity being exercised toward slaves ... if any person or persons whosoever, shall wilfully murder his own slave, or the slave of any other person, every such person shall, upon conviction thereof, forfeit and pay the sum of seven hundred pounds ... and is hereby declared altogether and forever incapable of holding, exercising, enjoying or receiving the profit of any office, place or employment, civil or military, within this Province.*³⁶

³⁵ McCord, *Statutes*, Vol. 7, 397.

³⁶ *Ibid*, 410. My italics.

For the first time in its legal history, South Carolina's legislators explicitly outlawed barbaric punishment of slaves with recourse to arguments urging Christian, virtuous, and humane behaviour in the management of the colony's enslaved people, and were prepared to strip slave-owners of public office if they failed to "restrain" themselves. In place of torture as a standard method of correction, the 1740 slave code now defined "usual" forms of punishment as whipping, beating, confinement, and use of irons:

In case any person or persons shall wilfully cut out the tongue, put out the eye, castrate, or cruelly scald, burn, or deprive any slave of any limb or member, or shall inflict any other cruel punishment, other than by whipping or beating with a horse-whip, cow-skin, switch or small stick, or by putting irons on, or confining or imprisoning such slave ... [they shall be fined £100] for every such offence.³⁷

The 1740 slave code thus replaced the prior statutory punishments of castration, ear-cropping and cutting the Achilles' tendon with a hard-line approach to whipping and sentence of death for certain crimes and misdemeanours. By rendering whipping, beating, confinement, and use of irons the most common forms of lawful punishment, the law expanded the range of punishments that were lawfully available to women slave-owners and which, not insignificantly, they could administer themselves. Just like their male counterparts, women slave-owners could and did whip and beat their slaves, as the historical record testifies. They also delegated punishment to others to perform, and sent their slaves to the workhouse for correction. Legitimising whipping, beating, imprisoning, and use of irons as routine modes of slave punishment in the 1740 slave code had the effect of legitimising, to the point of normalising, white women's role in the no less violent forms of punishment that were lawfully employed to manage the colony's enslaved women and men.

³⁷ Ibid., 411.

Negligence in the care and treatment of enslaved people with regards to providing sufficient food, clothing, and shelter was also outlawed. It is especially notable that this clause explicitly included mistresses, by way of recognition, perhaps, that this was a sphere of slave management in which they were likely to exert special oversight:

Any person ... who shall be owner, or shall have the care, government or charge of any slave or slaves, [and who] shall deny, neglect or refuse to allow such slave or slaves, under *his* or *her* charge, sufficient cloathing, covering or food ... [it shall be] lawful for any person or persons, on behalf of such slave or slaves, to make complaint ... [and in case] such person will not exculpate or clear himself from the charge, by *his* or *her* own oath ... [they shall be fined up to £20] for each offence.³⁸

The 1740 slave code's call for restraint and humanity based on virtue and Christianity, and its inclusion of less barbaric forms of punishment than prescribed in previous slave laws, reflected a change in ideology and approach to slave management that became increasingly and noticeably manifest in some slave-owning circles in South Carolina in the years both before and after its enactment. Several historians have viewed this development as inextricably connected to the "domestication" of slavery in South Carolina, a term that refers to the growth in the numbers of American-born slaves as the enslaved population began to naturally increase, and the impact this change had on the laws governing the treatment of the enslaved in the colony, and an emerging ideology of white mastery.³⁹ Edward Rugemer has argued that the introduction of legislation to curb

³⁸ Ibid.

³⁹ Eugene Genovese argued that the domestication of slavery and the evolution of a paternalist ideology of mastery was "enormously reinforced by the closing of the African slave trade", see Eugene D. Genovese, *Roll Jordan Roll: The World the Slaves Made* (New York: Vintage Books, 1976), 5. Historians disagree on how paternalism operated, and even whether it existed at all; for an overview of this debate, and paternalism in the context of colonial South Carolina, see Allan Galloway, "The Origins of Slaveholders' Paternalism: George Whitefield, the Bryan Family, and the Great Awakening in the South" *Journal of Southern History* vol. 53 (1987): 369-394.

the colony's importation of African slaves in the wake of the Stono Rebellion - by way of a tax which, in the words of the planter Robert Pringle, was "equal to prohibition" - encouraged the growth of a young, creole slave population in the 1740s that helped to fuel the domestication of slavery in the colony.⁴⁰ This development, Rugemer contends, began with moderating forms of punishment owners could lawfully inflict on the enslaved, starting with the 1722 slave law and continuing through to the 1740 slave code. With the latter, he states, "the assembly sought a domestication of their society. They wanted the black children hitherto born into slavery to be firmly controlled, and to work, but they also wanted to cultivate a greater measure of humanity in the white men empowered to control them."⁴¹ Jeffrey Robert Young also identified the domestication of slavery as a key transformation in the nature of slavery and planter ideology in South Carolina, which he in part attributed to a growing sense of "Christian stewardship" among certain leading planter families, reflected in the 1740 slave code's appeal to "those who profess themselves Christian."⁴²

The religious revivals typically referred to as the First Great Awakening that flourished in South Carolina in the 1730s and 1740s further contributed to the domestication of slavery in the colony by transforming both the ideology and practices of white mastery. According to Allan Galloway the evangelical planters and followers of the itinerant preacher George Whitefield spearheaded crucial reforms to the institution of slavery in the colony, urging "that bondspeople be allowed to convert to Christianity and to receive education as well as more humane treatment."⁴³ Whitefield, who visited South Carolina in 1738 and 1741, published a blistering attack on South Carolina's slave-owners, declaring that the Stono Rebellion was God's punishment "for your Abuse of and Cruelty to

⁴⁰ Rugemer, 114.

⁴¹ Ibid., 115.

⁴² Jeffrey Robert Young, *Domesticating Slavery: The Master Class in Georgia and South Carolina, 1670-1837* (Chapel Hill: University of North Carolina Press, 1999), 152-153.

⁴³ Galloway, "The Origins of Slaveholders' Paternalism", 380.

the Poor Negroes.”⁴⁴ Evangelical slave-owners answered Whitefield’s reproach by urging Christian instruction as well as the creation of schools for slaves.⁴⁵

The ideology of mastery that emerged during the period of increased domestication of the slave population, and of the First Great Awakening, has been long been defined as masculine. Gallay argued that the “utilization of religion as a form of social control” had its roots in the Awakening before eventually becoming “an essential element in the ideology of the southern master class”, which he describes as “paternalism”.⁴⁶ Writing about the Society for the Propagation of the Gospel (S.P.G.) ministers who sought to “assuage white opposition to slave conversion”, Thomas Little argued that “in so doing they helped to develop the basis of a new slaveholding doctrine, which in effect became a base and prototype for a paternalistic defense of slavery.”⁴⁷ Jeffrey Robert Young acknowledged, where other historians have not, that the ideology which fuelled the domestication of slavery in the colony was articulated and embraced by women belonging to some of the wealthiest slave-owning families in the colony – nonetheless he too defined this as “paternalism”.⁴⁸

Yet women slave-owners played a conspicuous role in channelling Christian conversion and instruction of the enslaved into an ideology of mastery in South Carolina in a way that cannot be accommodated by an exclusively masculine conception of mastery. In reports from Anglican ministers of the S.P.G., individual women slave-owners were especially commended for their commitment to evangelising and educating their slaves. Rev. Ebenezer Taylor informed the Society of the assistance he had received from Mrs. Lilia Haige and Mrs Edwards, noting that they had “taken extraordinary pains to instruct a considerable number of Negroes in the principles of the

⁴⁴ Ibid, 381.

⁴⁵ Harvey H. Jackson, “Hugh Bryan and the Evangelical Movement in Colonial South Carolina” *William and Mary Quarterly* 43 (1986), 605.

⁴⁶ Gallay, “The Origins of Slaveholders’ Paternalism”, 394.

⁴⁷ Thomas J. Little, “The Origins of Southern Evangelicalism: Revivalism in South Carolina, 1700-1740” *Church History* 75 (2006), 780.

⁴⁸ See discussion on “paternalism” and Margaret Manigault and Alice Izard in Young, *Domesticating Slavery*, 152-158.

Christian Religion, and to reclaim and reform them.”⁴⁹ In 1734, Haige was also one of three slave-owners to receive books “for the Instruction of Negroes” from the Associates of Dr. Bray, a philanthropic group founded by the clergyman Thomas Bray to promote the education and evangelization of the enslaved in the British American colonies. Mrs. Drayton and Mr. Bryan also received books with which to instruct their slaves.⁵⁰ Another S.P.G minister reported that Mrs James Moore, her son-in-law, and Mrs Sarah Baker “encouraged with all their might ... the instruction of their slaves in which they [were] very zealous.”⁵¹ In 1727, the Bishop of London sent a public letter to slave-owners “Exhorting Them to Encourage and Promote the Instruction of Their Negroes in the Christian Faith.” It is telling that, in so doing, he explicitly directed his message to both men and women slave-owners, addressing his “Pastoral Letter, To the Masters and Mistresses of Families in the English Plantations Abroad”.⁵² The South Carolina Assembly also explicitly recognised the role of women slave-owners in instructing their slaves, when it issued a strong objection to the gathering of “Cabals of Negro’s [sic]” for (or under the pretence of) worship, while acknowledging that it was acceptable for “regular Attempts ... by Masters and Mistresses in their own private Families” to promote Christian education.⁵³ The long-standing and widely held notion that the ideology of mastery which evolved in the 1730s and 1740s was masculine cannot be reconciled with the colony’s slave laws, which addressed both mistresses and masters, the role of gender in the slave laws pertaining to women slave-owners, and women slave-owners’ prominent and well-regarded role in the evangelization and education of their slaves. The 1740 slave code gave legal expression to an ideology of mastery that was arguably gendered, but not exclusively masculine.

⁴⁹ Shawn Comminey, “The Society for the Propagation of the Gospel in Foreign Parts and Black Education in South Carolina, 1702-1764” *Journal of Negro History* 84 (Autumn, 1999), 362.

⁵⁰ Jackson, “Hugh Bryan”, 605, and fn 25.

⁵¹ Comminey, “The Society for the Propagation of the Gospel”, 366.

⁵² Fred Witzig, “Beyond Expectation: How Charles Town’s ‘Pious and Well-Disposed Christians’ Changed Their Minds about Slave Education during the Great Awakening”, *South Carolina Historical Magazine* 114 (October 2013), 291.

⁵³ Gallay, “The Origins of Slaveholders’ Paternalism”, 388.

There is no clearer illustration of how this evolving ideology, and the 1740 slave code which underwrote it, became manifest in ideas of female mastery than the example of Eliza Lucas Pinckney, wife of the Speaker of the South Carolina House of Assembly and signatory of the 1740 slave code, Charles Pinckney. Prior to her marriage, Pinckney cultivated a vision of slave management based on a notion of domestic governance while overseeing the management of her father's plantations. Evangelizing and educating the family's slaves formed an essential part of this. In 1742, she wrote proudly to a friend about teaching "two black girls" to read, with a view to appointing them "school mistress's for the rest of the Negroe children."⁵⁴ Three years later, now married to Charles Pinckney, she outlined her vision of female mastery in a list of "resolutions" that she kept among her private papers. Therein she promised to "make a good wife to my dear Husband," to "be a good Mother to my children", and to "make a good Mistress to my servants," whom she vowed to treat:

with humanity and good nature; to give them sufficient and comfortable clothing and Provisions, and all things necessary for them. To be careful and tender of them in their sickness, to reprove them for their faults, to Encourage them when they do well, and pass over small faults; not to be tyrannical or peavish or impatient towards them, but to make their lives as comfortable as I can.⁵⁵

In an echo of the 1740 slave code, a "good Mistress", in Pinckney's estimation, was one who fed and clothed her slaves, took care of them during sickness, and did not act "tyrannically" toward them. During both marriage and widowhood, she was particularly involved in the management of her domestic slaves, including personally overseeing their health and administering care when they were

⁵⁴ Eliza Lucas Pinckney to Mary Bartlett, [1742] in Constance Schulz, ed, *The Papers of Eliza Lucas Pinckney and Harriott Pinckney Horry* <http://rotunda.upress.virginia.edu/PinckneyHorry/ELP0115> (accessed 13 February 2018).

⁵⁵ Harriott Horry Ravenel, *Eliza Pinckney: Women of Colonial and Revolutionary Times* (New York, 1896), 115-118.

unwell. She elaborated on her system of slave management in a letter to her daughter, Harriott Horry, who was also a slave-owner. Her concluding reference to the Christian ethos which underpinned her mastery is especially notable:

Mary-Ann understands roasting poultry in the greatest perfection you ever saw, and old Ebba the fattening them to as great a nicety. Daphne makes me a loaf of very nice bread. You know I am no epicure, but I am pleased they can do things so well, when they are put to it ... I shall keep young Ebba to do the drudgery part, fetch wood, and water, and scour, and learn as much as she is capable of Cooking and Washing. Mary-Ann Cooks, makes my bed, and makes my punch, Daphne works and makes the bread, old Ebba boils the cow's victuals, raises and fattens the poultry, Moses is imployed from breakfast until 12 o'clock without doors, after that in the house. Pegg washes and milks. Thus I have formed my household, nobody eats the bread of idleness when I am here, nor are any overworked.⁵⁶

As I have argued elsewhere, Pinckney's characterisation of mastery in "maternal" terms – instructing her slaves, overseeing their care when unwell, committing herself to providing them with food, clothing and shelter, disciplining them as one might children, and drawing on Christian notions of idleness and employment to legitimise her slave-owning status - reinforced her self-identity as a member of the colony's genteel planter elite.⁵⁷ Irrespective of whether or not Pinckney fulfilled her resolution to be a "good Mistress" to her slaves, her letters to friends and family indicate that her slaves neither complied with nor acquiesced in her vision of mastery. As she herself observed, they could be "so Insolent" and "quite their own masters."⁵⁸ Indeed, during the War of Independence

⁵⁶ Eliza Lucas Pinckney to Harriott Pinckney Horry, n.d, in *Papers of Eliza Lucas Pinckney* <http://rotunda.upress.virginia.edu/PinckneyHorry/ELP0754> (accessed 22 February 2018).

⁵⁷ Dornan, "To 'make a good Mistress to my servants.'"

⁵⁸ Eliza Lucas Pinckney to Rebecca Raven Evance, (Mrs. Branfill), 25 September 1780, in *Papers of Eliza Lucas Pinckney* <http://rotunda.upress.virginia.edu/PinckneyHorry/ELP1013> (accessed 23 February 2018).

they deserted her plantation *en masse*.⁵⁹ Pinckney's mastery was built around an ideology of domestic governance, shored up by an understanding of what it meant to treat her slaves with "humanity" and "good nature". It was an ideology of mastery that had found new expression in the 1740 slave code.

The 1740 slave code called for "restraint" and "humanity" in the treatment of slaves. Yet the colony's lawmakers did not trust that slave-owners, and those assigned to manage slaves, such as overseers, would cease being cruel:

By reason of the extent and distance of plantations in this Province, the inhabitants are far removed from each other, and many cruelties may be committed on slaves, because no white person may be present to give evidence of the same, unless some method be provided for the better discovery of such offences; and as slaves are under the government, so they ought to be under the protection, of masters and managers of plantation ... If any slave shall suffer in life, limb or member, or shall be maimed, beaten or abused, contrary to the directions and true intent and meaning of this Act, when no white person shall be present, or being present shall neglect or refuse to give evidence ... the owner or other person who shall have the care and government of such slave ... shall be deemed, taken, reputed and adjudged to be guilty of such offence, and shall be proceeded against accordingly, without further proof.⁶⁰

Exactly what punishment slave-owners faced for inflicting "many cruelties" on their slaves was, strangely, and rather pointlessly, not spelled out.

Evidence that enslaved men and women continued to suffer at the hands of their owners throughout the eighteenth century, despite the 1740 slave code calling for restraint and humanity,

⁵⁹ Eliza Lucas Pinckney to Thomas Pinckney, (1750-1828), 17 May 1779, in *Papers of Eliza Lucas Pinckney* <http://rotunda.upress.virginia.edu/PinckneyHorry/ELP0967> (accessed 23 February 2018).

⁶⁰ McCord, *Statutes*, Vol. 7, 411-12.

and the likes of Eliza Lucas Pinckney making resolutions to be a good mistress, can be clearly seen in the runaway notices that slave-owners placed in the colony's newspapers. These are clear evidence that neither the slave laws nor various forms of violent punishment inflicted on the enslaved deterred them from resisting slavery. Slave-owners descriptions of their runaway slaves were intended to facilitate their recapture by pointing out their distinguishing marks and features; however, in so doing, they also unwittingly betray the poor working conditions, general neglect, and physical and psychological abuse they inflicted on them. Elizabeth Harvey, for example, reported that her runaway slave, Sack, had a "remarkable down look". Another runaway, July, was described as having a "sullen countenance," while Isaac's owner described him as prone to stutter when "scared." Will was said to be easily identified because he had lost his toes to frostbite, and Richmond was remarkable for having a broken arm that was "wrong set".⁶¹ Like their male counterparts, women slave-owners not infrequently sent their runaway slaves, following recapture, to be punished at the workhouse, which is where mistresses Elizabeth Bullock and Anne Mathewes requested that their runaway slaves be sent once found.⁶² In contrast, Rebecca Massey instructed that whoever captured her runaway slave, Ruth, "gives her 50 good Lashes, and deliver her to me."⁶³ Mary Ellis was equally merciless, demanding that her runaway slave, Catharina, be seized "dead or alive."⁶⁴ It was not until the 1760s that some slave-owners expressed greater "restraint" in notices for the recapture of their runaway slaves. Mary Simmons, for example, placed a notice in the *South Carolina Gazette* in 1771 declaring that, if her runaway slave "returns of her own accord, she shall be forgiven" - a far cry from the statutory punishment inflicted on enslaved women runaways sixty years earlier.⁶⁵ Yet chilling warnings about the repercussions of failing to return swiftly and voluntarily to slave-owners who offered an olive branch - "if he does not speedily come in, he shall

⁶¹ Dornan, "To 'make a good Mistress to my servants'", 64.

⁶² *South Carolina Gazette*, 6 December 1751; 25 July – 1 August 1761.

⁶³ *Ibid.*, 1 February 1739.

⁶⁴ *Ibid.*, 3 February 1757.

⁶⁵ *South Carolina Gazette and Country Journal* 17 December 1771.

be when taken most rigorously punished” - must have left some enslaved runaways wondering whether the offer of forgiveness was in fact genuine.⁶⁶

Enslaved people in colonial South Carolina resisted the conditions of slavery in myriad ways that undermined and challenged the ideas of mastery to which women and men slave-owners subscribed. Runaway advertisements placed by women slave-owners in the colonial newspapers are just one example of how their mastery and methods of slave management were subverted by enslaved people. Sack, Ruth, and Catharina were among many enslaved women and men who rejected white women’s mastery by running away. Others took advantage of being hired out and defrauded their mistresses of wages; like Lancaster, whose owner, Elizabeth Smith, placed a notice in the *South Carolina Gazette* threatening to prosecute anyone who employed him without her permission.⁶⁷ Further advertisements hint at how enslaved women, in particular, exposed the falsehood of white women’s claim to maternal forms of mastery; by running away with their children, or to join family members from whom they had separated; like Diana who ran away from her owner, Mrs Anne Matthewes, with her two children, and Betty, who ran away from her owner and was thought to be staying with her “mother and father at Mr. John Rose’s plantation” or with her husband “at Miss. Holibush’s plantation.”⁶⁸ The nature of enslaved people’s resistance contested the ideological foundations upon which women slave-owners’ mastery was built.

Female mastery played a more profound role in the laws on slave management than has previously been acknowledged. White women were active among the ranks of South Carolina’s slave-owners and planters since the earliest days of colonisation, and as such were explicitly incorporated into the colony’s first slave laws. In the 1720s and ‘30s, with the enslaved black population already outnumbering the free white population – in 1720 there were just over 11,800 enslaved persons to roughly 6,500 free white inhabitants in South Carolina - the colony’s legislators

⁶⁶ *South Carolina Gazette* 25 September - 2 October 1762.

⁶⁷ On Elizabeth Smith’s difficulties managing Lancaster, see *South Carolina Gazette* 1-8 January 1741; 10-17 October 1741; 6 December 1751.

⁶⁸ *South Carolina Gazette* 25 July – 1 August 1761; *South Carolina Gazette and Country Journal* 18 October 1768.

responded to the anxieties this imbalance engendered among whites by emphasising the mastery of white men in the realm of slave management, not unnoticeably and not without consequences, at the expense of white women's mastery.⁶⁹ When the colony's legislators convened to devise the 1740 slave code, they reversed this trend by reinstating female mastery in the politics of slave management. Not uncoincidentally this dovetailed with a change in the Assembly's approach to slave management, which sought to outlaw "cruel and unusual" punishments, based on an ideology of "restraint" and "humanity" rooted in virtuous and Christian conduct. The 1740 slave code reflected the shift toward the domestication of slavery in South Carolina and articulated an ideology of slave management that was in part predicated on domestic governance: calling for restraint in the disciplining of the enslaved and for them to be sufficiently fed, clothed, and cared for during sickness. These policies resonated with an ideology of female mastery, as seen in Eliza Lucas Pinckney's definition of "a good Mistress". Yet just as the 1740 slave code predicted, the reality of slave-owners' treatment of the enslaved, and of the lived experience of enslavement, was a world away from "restraint" and "humanity". One need look no further than slave-owners' descriptions of enslaved runaways to see that "too great rigour and cruelty", through punishment, overwork, and neglect, continued to characterise slave-ownership and management in colonial South Carolina, and to see how suffering and trauma remained at the heart of the slave experience, and shaped their resistance to it.

⁶⁹ Wood, *Black Majority*, 152.

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