

Loving and kind father and mother:

My most humble duty remembered to you hoping in God of your good health, as I my self am at the making hereof, this is to let you understand that I your Child am in a most heavy Case by reason of the nature of the Country [which] is such that it causeth much sickness, [such as] scurvy and "the bloody flux" and diverse other diseases, which maketh the body very poor and weak. And when we are sick there is nothing to comfort us; for since I came out of the ship, I never ate anything but peas, and loblollie (that is water gruel). As for deer or venison I never saw any since I came into this land. There is indeed some fowl, but we are not allowed to go, and get it, but must work hard both early and late for a mess of water gruel, and a mouthful of bread, and beer. A mouthful of bread for a penny loaf must serve for four men which is most pitiful.

[I]f you did know as much as I, when people cry out day, and night—Oh that they were in England without their limbs—and would not care to lose any limb to be in England again, yea though they beg from door to door. For we live in fear of the enemy every hour, yea we have had combat with them . . . and we took two alive and made slaves of them. But it was by policy, for we are in great danger, for our plantation is very weak by reason of the death and sickness of company. For we came but twenty for the merchants, and they are half dead just; and we look every hour when two more should go. Yet there came some four other men yet to live with us, of which there is but one alive; and our Lieutenant is dead, and [also] his father and his brother. And there was some five or six of the last year's twenty, of which there is but three left, so that we are fain to get other men to plant with us; and yet we are but 32 to fight against 3000 if they should come. . . .

And I have nothing to comfort me. . . . I have nothing at all—no, not a shirt to my back but two rags, nor no clothes but one poor suit, nor but one pair of shoes, but one pair of stockings, but one cap, but two bands [collars]. My cloak is stolen by one of my own fellows, and to his dying hour [he] would not tell me what he did with it; but some of my fellows saw him buy butter and beef from a ship, which my cloak [no] doubt, paid for.

So that I have not a penny, nor a penny worth to help me to either spice or sugar or strong waters, without which one cannot live here. For as strong beer in England doth fatten and strengthen them, so water here doth wash and weaken these here. . . . But I am not half a quarter so strong as I was in England, and all is for want of victuals, for I do protest unto you, that I have eaten more in a day at home than I have allowed me here for a week. You have given more than my day's allowance to a beggar at the door; and if Mr. Jackson had not relieved me, I should be in a poor case. But he like a father and she like a loving mother doth still help me. . . .

And he [Mr. Jackson] much marvelled that you would send a servant to the Company; he saith I had been better knocked on the head. And indeed so I find it now, to my great grief and misery; and saith if you love me you will redeem me suddenly, and for which I do entreat and beg. And if you cannot get the merchants to redeem me for some little money, then for God's sake get a

gathering or entreat some good folks to lay out some little sum of money in meat and cheese and butter and beef. Any eating meat will yield great profit. Oil and vinegar is very good; but, father, there is great loss in leaching. But for God's sake send beef and cheese and butter, or the more of one sort and none of another. . . .

Good father, do not forget me, but have mercy and pity my miserable case. I know if you did but see me, you would weep to see me. . . . I pray you to remember my love to all my friends and kindred. I hope all my brothers and sisters are in good health, and as for my part I have down my resolution that certainly will be; that is, that the answer of this letter will be life or death to me. Therefore, good father, send as soon as you can; and if you send me anything let this be the mark.

ROT
Richard Frethorne

Martin's Hundred [Virginia, 1623]

2.3

Race, Gender, and Servitude in Virginia Law (1661–1691)

Racial slavery evolved slowly in colonial America. Although Africans first arrived in 1619, their status was virtually identical to that of indentured servants. Africans and poor whites performed similar jobs under the same circumstances. Since slavery was not yet a lifelong condition, both races were able to earn their freedom. A slave could earn his or her freedom by converting to Christianity.

But growing tensions between planters and freemen prompted whites to substitute black slaves for white servants. In 1641, Massachusetts became the first colony to legally recognize slavery. Other colonies soon followed. After 1660, revised statutes defined slavery as a lifelong, inheritable condition inextricably linked to race and no longer voided (stripped of legal force) by conversion to

SOURCE: Assembly of Virginia, Act XVI, April 1691, in William Waller Henning, *The Statutes at Large: Being a Collection of All the Laws of Virginia, from the First Session of the Legislature, in the Year 1619*, 13 vols. (New York: 1823), vol. 3: 86–87.

Christianity. New laws on sexual behavior and reproduction fostered white supremacy and patriarchy (a social system in which the father is the supreme authority). By 1705, rigid legal codes governed almost every aspect of the lives of slaves.

This passage includes examples of slave laws in Virginia. (Some spelling is modernized.)

FOCUS QUESTIONS

1. How could one's race and/or sex determine one's fate under these laws?
2. How did the laws change over time?
3. What impact do you think these laws had on slave families?
4. What do these laws suggest about life in colonial Virginia?

The Laws of Virginia (1661, 1662, 1691, 1705)

[March 1661]

For restraint of the filthy sin of fornication [sexual intercourse between partners who are not married], Be it enacted that what man or woman soever shall commit fornication, he and she so offending, upon proof thereof by confession or evidence shall pay each of them five hundred pounds of tobacco fine, (a) to the use of the parish or parishes they dwell in, and be bound to their good behavior, and be imprisoned until they find security to be bound with them, and if they or either of them committing fornication as aforesaid be servants then the master of such servant so offending shall pay the said five hundred pounds of tobacco as aforesaid to the use of the parish aforesaid, for which the said servant shall serve half a year after the time by indenture or custom is expired, and if the master shall refuse to pay the fine then the servant to be whipped; and if it happen a bastard child to be gotten in such fornication then the woman if a servant in regard of the loss and trouble her master doth sustain by her having a bastard shall serve two years after her time by indenture is expired or pay two thousand pounds of tobacco to her master besides the fine or punishment for committing the offence and the reputed father to put in security to keep the child and save the parish harm.

[December 1662]

Whereas by act of Assembly every woman servant having a bastard is to serve two years, and late experience show that some dissolute masters have gotten their maids with child, and yet claim the benefit of their service, and on the contrary if a woman got with child by her master should be freed from that service it might probably induce such loose persons to lay all their bastards to their masters; it is

therefore thought fit and accordingly enacted, and be it enacted henceforward that each woman servant got with child by her master shall after her time by indenture or custom is expired be by the churchwardens of the parish where she lived when she was brought to bed of such bastard, sold for two years, and the tobacco to be employed by the vestry for the use of the parish. . . .

Whereas some doubts have arisen whether children got by any Englishman upon a negro woman should be slave or free, Be it therefore enacted and declared by this present grand assembly, that all children bourn in this country shall be held bond or free only according to the condition of the mother, And that if any Christian shall commit fornication with a negro man or woman, he or she so offending shall pay double the fines imposed by the former act.

[April 1691]

...For prevention of that abominable mixture and spurious issue which hereafter may increase in this dominion, as well as by negroes, mulattos, and Indians intermarrying with English, or other white women, as by their unlawful accompanying with one another, Be it enacted... that... whatsoever English or other white man or woman being free, shall intermarry with a negro, mulatto or Indian man or woman bond or free shall within three months after such marriage be banished and removed from this dominion forever. . . .

And be it further enacted... That if any English woman being free shall have a bastard child by any negro or mulatto, she pay the sum of fifteen pounds sterling, within one month after such bastard child shall be born, to the Church wardens of the parish... and in default of such payment she shall be taken into the possession of the said Church wardens and disposed of for five years, and the said fine of fifteen pounds, or whatever the woman shall be disposed of for, shall be paid, one third part to their majesties... and one other third part to the use of the parish... and the other third part to the informer, and that such bastard child be bound out as a servant by the said Church wardens until he or she shall attain the age of thirty years, and in case such English woman that shall have such bastard child be a servant, she shall be sold by the said church wardens (after her time is expired that she ought by law serve her master), for five years, and the money she shall be sold for divided as if before appointed, and the child to serve as aforesaid.

[1705]

And be it further enacted, That no minister of the church of England, or other minister, or person whatsoever, within this colony and dominion, shall hereafter willingly presume to marry a white man with a negro or mulatto woman; or to marry a white woman with a negro or mulatto man, upon paid of forfeiting or paying, for every such marriage the sum of ten thousand pounds of tobacco; one half to our sovereign lady the Queen... and the other half to the informer.