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“ A MOCKERY OF FREEDOM”: THE STATUS OF FREEDMEN IN ANTIGUA SLAVE SOCIETY BEFORE 1760

Antigua slave society emerged during the last three decades of the seventeenth century as a result of the sugar revolution which transformed the early frontier society and economy that had been dominated by tobacco cultivation, and free and indentured labor. Henceforth, sugar and slavery exerted a powerful influence on the development of the society's institutional structure and value complex (Dunn 1972: 117-148; Sheridan 1974: 184-207).¹

The slave population, sinews of the plantation economy, increased steadily, though at a variable rate, while the white population stopped growing after 1724, and later declined. The very slow growth of the free non-white, or freedmen, population of mixed (mulattoes), or unmixed (Negro) ancestry, contrasted most markedly with slave population growth. The number of freedmen grew from only 18 in 1707 (12,892 slaves; 2,892 whites) to 1,230 in 1787 (36,000 slaves), and 3,895 in 1821 (Account 1672-1774; Martin 1839: 80; Parl. Papers 1826-1827: 4). From the seventeenth century to the middle of the eighteenth, manumissions of slaves appear to have been few, but if the extracts of wills in Oliver's *History of Antigua* are any guide (Oliver 1899),² attitudes toward manumission may have become comparatively more favorable later, partly perhaps because of more humane perceptions of slaves. Manumission could be obtained by will, self-purchase, free gift, or for meritorious service to the state, but other freedmen were also born free if their mothers were free. The peculiar status of Antigua freedmen up to the 1750s was only obliquely reflected through their slow growth in numbers, but from other sources, though scanty for the period, it is possible to trace some of the contours of that status and their implications.

On that small sugar island, fugitive slaves who hoped to pass as freedmen soon discovered that they could not escape the rigors of race and class that whites had woven as part of an intricate web of control; they found that they had jumped from the pot into the fire, that they had exchanged the harsh limitations of slave life for those that ensnared the lives of free Negroes and mulattoes whom whites generally regarded as not far removed from slavery, whether they were free-born or had been freed. Antigua whites, like their counterparts in many other slave societies of the Americas, regarded freedmen as "slaves without masters." They believed that freedmen should be subordinated along with the slaves, and in other ways linked with them, because implicitly their existence threatened the social order that was based upon masters and slaves (Berlin 1974). Such, obviously, was the intention behind the provisions of the 1697 and 1702 slave acts which regulated "all Free Negroes, Mulattoes, or Indians."

Simply put, the freedom of Antigua freedmen was at best precarious, though more precarious for some than for others who could also otherwise enjoy a more secure existence. In evaluating the status of the freedmen, it must always be borne in mind that while the island's laws may have been intended to treat freedmen largely as an undifferentiated group, in practice, some freedmen, especially the well-connected and propertied, had greater maneuverability. From the ranks of whites, however, race and color effectively excluded all freedmen. To civil or political rights, they held no legal claim. They could not hold public or parochial office or serve as jurors. Their evidence was admissible in court only against slaves and other freedmen, and they could only prosecute cases against whites with white witnesses. Unable to show sufficient proof of their freedom, they could be pushed back into slavery (Goveia 1965: 218, 221-222). Olaudah Equiano, the African (Ibo), who lived as a slave in the Caribbean and visited many islands, observed in his autobiography that freedmen there endured "a mockery of freedom." (Equiano 1969: 139-140). Still, everywhere freedmen struggled to remain free.

When doubts arose about her freedom, Phyllis, "a Negroe Woman late belonging to Major Kean Osborne deceased," brought her case before the Antigua legislature in 1707, claiming that "her late Master did on his death bed declare her from thence forward to be a free Negroe, which she is now denyed of by his Executors." If two white witnesses, Major Osborne's widow and executor Lt. Gov. John Yeamans, had not come forward to support her claim, Phyllis would probably not have won her freedom. Satisfied that she was entitled to

be free, the governor ordered that Phyllis be "for ever hereafter manumitted, & sett free, and that she be at Liberty to go at large where she pleases" (Antig. Ass. and Council 1707a). Another similar case came before the legislature in 1707 when a mulatto man, Ardra, stated that when forces from the Leeward Islands invaded the neighboring French island of Guadeloupe in 1703, he deserted to their side "& came into the said Army, & that by their consent he was to have been freed, & sett at Liberty. And that upon such consideration he was never sold, or accounted for to the said Army. Yet notwithstanding," Ardra pointed out, "Collo. Christopher Codrington who was then Captain Generall of these Islands, & commander in Chief on that expedition, doth keep & detain him as a slave." After examination of evidence, the legislature finally ruled in Ardra's favor (Antig. Ass. and Council 1707b, 1708).

The cases of Phyllis and Ardra suggest that if freedmen were prepared, with proper support, to fight to retain their freedom, they could do so before the legislature (and indeed they did present other kinds of petitions).³ It does not appear that they were discouraged from so acting. While a successful claim won them freedom and full proof of it, if they were unsuccessful, they were swallowed up again into the slave population. There is no evidence that freedmen were enslaved for crimes committed, but because they had to be constantly prepared to fight off challenges to their claim to freedom, many of the less prominent and well-connected must have tried to be invisible or as inconspicuous as possible. One way to achieve this was to avoid open association with slaves. The insecurity of such people must have been most pronounced and burdensome when there were few freedmen, and especially so among the propertyless, or those who had once been slaves. But whatever their population size, they could have secretly established ties with the slaves, while at the same time working out attachments with influential whites. Antigua whites, themselves, generally assumed, especially when they saw how greatly the slaves outnumbered them, and how persistently threatening slave resistance could be, that freedmen and slaves shared common interests; and while they restricted the freedmen's liberties through formal and informal controls, like their counterparts in the antebellum South of the United States, they hoped that freedmen would not be pushed into "an insurrectionary alliance with slaves." (Berlin 1974: 318).

In 1696, after about six decades of demographic change and economic growth from a rough, struggling, frontier colony to a thriving society mounted on twin supports of sugar and slavery, Antigua passed its first laws to restrict the liberties of freedmen. These restric-

tions were framed in the last three clauses of an act most significantly entitled an "Act for the better Government of Slaves." (Antig. Ass. and Council 1697). To go by the act's title alone there is no hint that freedmen are included. But they most certainly were. By the 1690s custom and opinion in the developing slave society had most probably already prepared freedmen and whites to expect explicit regulations against freedmen lumped along with slaves, but it was not concern over the behavior of freedmen that prompted the passage of the act. It was slave insubordination; and that unmistakably also raised questions about freedmen. (Gaspar 1979: 3–13).⁴

In 1702 freedmen received explicit mention for the first time in the title of an act that was devoted largely to slaves (Laws of Antig. 1805a: 158–164). The Antigua authorities passed this "Act for the Better Government of Slaves, and Free Negroes" to update the old act of 1697 with a more comprehensive one for which there was great need. Through the new act, the authorities intended to establish clear guidelines for the formal control of the rapidly expanding and restive slave population, as well as freedmen (even if their numbers were still comparatively small), who had to be kept in their place in order to preserve white supremacy. Henceforth, provisions of the 1702 act were applicable, together with a web of informal controls that were well woven into the fabric of sanctioned race relations and general conduct.

The first of five in the act, clause 22 ruled that "all free Negroes, Mulattoes, or Indians, not having Land shall be obliged in thirty Days after the Date hereof to choose some Master or Mistress to live with, who shall be owned by them, and with whom they shall live, and take their Abode, to the Intent that their Lives and Conversations may be known to be called to their respective Duties." The wording of the first part of this provision had been different in the 1697 act which had referred to freedmen "who have not freehold of their Owne, or who do not live with parents being free holders." Applicable only to landless freedmen, the 1702 law aimed at subordinating them to whites through attachment to surrogate masters who would be responsible for their proper surveillance. If that law was enforced, such freedmen therefore 'belonged' to masters, and stood, as it were, in the very jaws of slavery. One wonders to what extent this worked as an incentive to freedmen to acquire land; but on the compact, tiny, 108 square mile island of numerous sugar plantations, land was not easy to obtain, and many, if not most freedmen, would have had to find 'owners', so long as the law was enforced. While white persons to whom freedmen were attached carried certain responsibilities as part of the state apparatus for the

control of freedmen as well as slaves, in practice all whites of whatever standing were obligated to uphold laws for the control of non-whites.

Why did the 1702 law seek to bind landless freedmen to patrons? While no reason was cited, the law was probably motivated by the authorities' concern that without property freedmen could not be expected to behave responsibly as patriotic citizens with a stake in the island's fortunes; and also, perhaps, they simply wanted to prevent freedmen from falling into idleness and mischief which might make them more difficult to control. Prevention was better than cure. Indeed a regulation directed at freedmen "fitt to go out to Trades" provided that they were to be "bound Apprentice to any Person that will receive them for seven Years (unless they choose a Master or Mistresses to be bound to) by the next Justice, who shall be informed of such Persons, and who is immediately to cause them to be bound, in ten Days after such information to any willing to receive them, on Penalty of forfeiting ten Pounds."⁵

When the legislature used the phrase "who shall be owned by them" to describe the forced attachment of freedmen without land as virtual slaves to white patrons or guardians, it conveyed many of the negative perceptions that whites had developed of freedmen as a group. The legislature now endorsed additional ties of dependence between whites and non-whites, besides that between masters and slaves. Another instrument of control, this new kind of power relation between whites and freedmen was premised, obviously, on acceptable master-slave relations. But in practice, the real difference between landless freedmen and those with land, in their relations with whites as patrons, became the degree and significance of attachment. Before 1702, all freedmen in increasingly race and class conscious Antigua would have found it advantageous to cultivate instrumental friendships with influential whites who could help to ease the burdens of their insecure existence. A form of patron-client relations, such friendships would be 'lop-sided' in favor of white patrons who would certainly possess higher status and greater wealth and influence than their freedmen clients. For protection and other useful support from patrons, freedmen reciprocated with various services, loyalty, and deference, which together amounted to a form of control that subverted, or at least reduced, the potential for cooperative alliances with the slaves (Pitt-Rivers 1954; Wolf 1966: 1-22; Weingrod 1968: 377-400; Hall 1974: 506-509; Powell 1970: 411-425).⁶ The control of slaves as well as freedmen "was not simply a matter of physical repression, but of creating ties of dependence." (Cooper 1979: 119).

Clause 22 of the 1702 act also provided that "if any Free Person, not being a White, shall presume to strike a White Servant, he shall be by Order of the next Justice (on proof of his striking) severely whipped, at the Discretion of the said Justice." The old act of 1697 had stated 'white person' instead of 'white servant.' The later change was not without meaning. Ruling in essence that even the lowliest, subordinated, white indentured servant was the social superior of any freedmen, however well-off, the new act tightened the screws for the control of freedmen, and pointed toward a finer tuning of class and race relations. In the same clause of the act, freedmen were humiliatingly prohibited from striking whites even in self-defense. If whites assaulted them, they should be satisfied that, according to clause 26, "on Proof thereof made to any Justice of the Peace," their assailants would "be bound over to the Sessions, and be punished at the Discretion of the Justices then sitting; any Law or Usage to the contrary notwithstanding."

While, according to the wording of the 1702 act, freedmen with land did not have to find white patrons, Free Negroes (freedmen of unmixed Negro ancestry) found that the Antigua legislature had attacked even possession of this important asset. In clear language clause 23 announced that "for the future no Free Negro shall be Owner or Possessor of more than eight Acres of Land, and in no Case shall be deemed and accounted a Freeholder." Surplus land in their possession was to be sold within six months or be lost to the crown. These regulations, it would appear, did not apply to freedmen of mixed ancestry, but we cannot tell whether they were strictly enforced.⁷ It must also be noted that ownership of land by free Negroes was only restricted, and not blocked altogether. The limitation, however, must not have been meant simply to deny free Negroes the right to vote, which could only be exercised, according to an act passed on the same day, by "Owners of at least 10 Acres of Land in the Country, or an House in any of the Towns" (Laws of Antig. 1805b), for the land restriction law made it clear that free Negroes were not free holders under any circumstances whatsoever. Even if they owned houses in the towns, they were still not regarded as freeholders with claims to related rights and privileges. Perhaps the real intent of the land restriction law was to make it difficult for the racially distinct free Negroes to become independent of whites as owners of sizable acreage; the law could also have been meant to reserve land to promote white immigration. Antigua authorities were already quite anxious by 1702 to increase the white population, which had not kept pace with the rapidly growing slave population. In any case, free Negroes were burdened with addi-

tional disabilities in regard to land ownership and voting. They could not, as a result, become large land holders, and match whites in possession of such wealth, and perhaps influence in politics.

If the land restriction law did not apply to freedmen of mixed ancestry, could they qualify as freeholders and vote? They could, and it is worth noting that there was no specific legislation that allowed it, which certainly does not mean that such freedmen were the equals of whites. It means, instead, that they voted as a privilege, not an absolute right, which was allowed them through white benevolence and, more likely, political shrewdness. In 1728, while settling a dispute over the election of Edward Chester as assemblyman for Falmouth division, a committee of the assembly replied in the affirmative to a query about "whether Mulatto's having ten acres of land have a right to vote for assemblymen" (Antig. Assembly 1727, 1728). That the question arose at all underscores our contention that such freedmen voted as a privilege. To what extent they used their vote during this early period remains unclear, as also is the precise impact that the capacity to vote had on their status other than that the authorities were prepared to treat them as political allies against the free Negroes and the slaves. It seems certain, nonetheless, that in some degree, Antigua custom differentiated free Negroes from freedmen of mixed ancestry, and this may have contributed to a lack of cohesiveness among freedmen and greater effectiveness of the forces of control.

The evidence presented so far about the evolving status of the free Negroes in early Antigua slave society should not be taken to mean that even those who were industrious, well-connected, and fortunate did not have the space to substantially improve the quality of their lives and participate more fully in island affairs. Possibilities for fuller lives did exist within the parameters of the monopoly of power in the hands of whites, as the case of the Johnson brothers will show.

The free Negroes, Benjamin and Billy Johnson, were born into slavery, the property of a Dutch slaveowner, Margaret [Barbara?] Low. At "her cost and thro Her care," she "Baptized Principled and instructed" them "sufficiently in the Christian Religion which they professed openly according to the Church of England." Educated "in a manner superior to many white People," they could read and write, and knew enough "Arithmetick and Accounts . . . to Qualify them to Trade and keep a shop." When their mistress died, they became free by her will, and she also left them all her possessions, which were "so Considerable as to set them up in Shops and Enable them to Carry on a Trade, wich they had so considerably improved that Ben Johnson was

supposed to be worth fifteen hundred or Two thousand Pounds" in 1736. At the same time, the brothers owned a few slaves and other property in houses and land, served in the militia, paid "Publick Levys and Taxes," and reportedly shared in "all the Privileges that White men Enjoy" (Antig. Council 1737; Mathew 1737; Johnsons 1738; Douncker 1738). If this last assertion was accurate, then at least in the Johnsons' case prejudice against freedmen had not hampered their advancement; restrictive legislation against free Negroes was clearly not stringently enforced.

As traders, the Johnsons had also built up a useful network of contacts among whites. During the alarm over the discovery of a slave conspiracy to revolt in 1736, the two brothers were implicated, and they called upon white witnesses to testify on their behalf. In this way, they turned to their advantage the system of white patronage which was originally established to promote the interests of whites. But this is not the most striking dimension of the proceedings against the slave rebels that draws attention to freedmen; it is the unprecedented use of slave evidence to try freedmen for complicity in the slave plot.⁸

By the laws and custom of the island, slave evidence was not allowed in court against free persons (white, mulatto, or black), but the rattled Antigua legislature, anxious to probe deeply to the bottom of the slave plot, punish all deserving suspects, and deter similar subversion in the future, passed special legislation to allow the use of slave testimony against four freedmen, including free Negroes Benjamin and Billy Johnson, free Negro John Corteen, and mulatto Thomas Winthorp (mulatto Tom). Brought to court also were the mulatto, Jack, and the free Negro, Simon Nichols, but their names were not mentioned in the final acts, one of which was passed against the Johnsons, and the other against Corteen and Winthorp (Mathew 1737; Antig. Ass. and Council 1737). By admitting the evidence of slaves against the freedmen, these acts set a dangerous precedent that arguably posed the greatest threat to the already limited freedom of freedmen. The Antigua legislature itself did not consider how its maneuver might later affect whites; but the home government, in disallowing the acts, pointed out, what the legislature did not contest, that the measures they endorsed were "highly dangerous to the lives and properties of His Majesty's free Subjects" and could "open a door to the greatest Oppression and Injustice" (Fane 1738). That the legislature complied with orders from above to release the freedmen did not mean that whites ceased to regard slaves and freedmen as allies in subversion, but in later years to the mid 1750s, the status of freedmen does not appear to have been

notably affected for the better or worse as a result of the slave plot, although, for a short time perhaps, after 1736, existing restrictions may have been enforced.

In regard to service in the island militia, if mulatto freedmen encountered open prejudice, the sources do not confirm it, but they show that free Negroes did. In 1754 the "Adjutants of the several Regiments of the Militia. . . . Summoned the Free Negroes . . . to Appear amongst the white People," many of whom avoided "their Personal duty" and chose "to pay their Fines rather than Roll with such Negroes." Whatever were the white militiamen's motives in refusing to serve alongside the free Negroes, the assembly supported them, concluding that "as it appears to this House by the Militia Act interpreted by the general Policy of this Island, that such Free Negroes ought not to be Regimented with white people, We desire the Council will concur with us in Requesting His Excellency to give it in Orders that all such free Negroes be excluded from doing duty in the Several Regiments of this Island, except in cases of Alarm when they may attend as Pioneers" (Antig. Council 1754).

At the same time, if the claim of the free Negro Johnson brothers that they served in the Antigua militia was also never controverted in all the testimony that emerged in connection with their trial for conspiracy to revolt, it would seem that free Negroes and mulattoes did serve in some capacity in the militia for many years before 1754. Indeed, it must be striking that among all the restrictive legislation that affected them, there was none that specifically barred them from militia service. The absence of such legislation shows that it would be unwise to gauge the status of freedmen solely through statutes, for so much that shaped and constrained the lives of freedmen was never crystallized into written laws. Antigua whites knew that in times of slave rebellion (or invasion) they would have to call upon the services of black and mulatto militiamen, so they found a place for them in the corps; but at the same time they took other precautions that freedmen and slaves would not combine against them.

"The sociology of the Caribbean plantation," according to Sidney Mintz, "in ideal terms, brooked no interpenetration of the ruling and dominated classes, neither socially, nor culturally, nor genetically" (Mintz 1979). But everywhere in the Caribbean during the slave period, reality diverged widely from that ideal. Masters and slaves did become interdependent. In 1644, twelve years after its settlement in 1632, Antigua, alone among the British sugar islands so far as we know, passed a law "against Carnall coppulation between Christian and

Heathen"; for good reason, no doubt, the law was reissued in 1672 (Dunn 1972: 228). Thirty years later, partly to preserve and enforce clear distinctions between free persons and slaves, and partly also to discourage open, unrestricted association between them, and miscegenation in particular, the Antigua slave act of 1702 prohibited marriage between any free persons and slaves. For performing such marriages ministers faced fines of fifty pounds; the free party was also penalized either by payment of twenty pounds to the slave's owner, or four years service by the order of two justices (Laws of Antig. 1805: 164). But the marriage law could not have achieved much, to judge only from the gradual increase in the number of freedmen of mixed ancestry in the years after 1702, and the large number of mulatto slaves on the island's plantations and in the towns.

Neither slave nor fully free, numerically small compared with the slaves throughout the slave period, and significantly dependent upon whites for recognition and various kinds of support, Antigua freedmen were without effective power as a group, and understandably never directly challenged the social order. But this is not to say that they did not resist or protest against the slave-based system of prejudice with which they were burdened; it is difficult to believe that they did not. The more we know about this dimension of the freedmen's existence, the better we will understand the world of slavery in which they moved, and the choices forced upon them in adjusting to that treacherous environment. While little direct evidence exists for our period on patterns of freedmen's responses, we might consider the implications of two cases in which freedmen were involved. The first is drawn from the turbulent 1680s, and the second, again from the 1736 slave plot.

In 1687, near the end of a period of widespread slave unrest that the authorities had dreaded might escalate into open rebellion, a list of fugitive slaves still at large in the Antigua hills included the name of John Premeer, a "free man" (Antig. Council 1687). How did a freedman come to be on the list? Was he a fugitive from a 'master' or 'mistress'? Although by 1687 the legislature had not yet passed specific laws that defined freedmen's place in the society, custom and opinion had probably already accomplished much in restricting their freedom. Thus, if Premeer was already attached to a white 'owner', as the 1697 law required of some freedmen, he was virtually a slave, and perhaps for much the same reasons as the slave fugitives whose ideological outlook he may have shared, he took to the hills. Whatever the reasons that explain Premeer as 'fugitive', it is certainly significant that within the first twenty years of the development of Antigua slave society, a

freedman, who was not identified as a fugitive from justice, had cast his lot with rebellious slaves who rejected the emerging system of slavery and all it represented (Gaspar 1979: 3–13).

In regard to the freedmen who were believed to have been involved in the 1736 slave plot, the evidence suggests that they, especially Benjamin and Billy Johnson, may have helped to organize it. This may be interpreted to mean that while freedmen could not organize collective resistance of their own because of many limitations, notably tiny population size, they risked collaboration with slaves who planned such schemes, and who could draw upon a much larger resource base among the slave population. Through collective slave resistance alone, perhaps, could militant freedmen have been able to effectively and openly challenge white supremacy. Yet, in small, indirect, but important ways, largely through covert day-to-day cooperation with the slaves, freedmen could lend their weight to the struggle against white rule.

From the seventeenth century to the middle of the eighteenth, Antigua freedmen lived out their lives under such rule, unable to change their situation. By the end of the century it was still largely true that the freedmen, especially the free Negroes, “were held to be merely slaves who had been freed from the power of their masters, [and] not freemen entitled by their freedom to participate in the public life” (Goveia 1965: 82). The legal restrictions against freedmen which helped to make a mockery of freedom were not finally lifted until during the late slave period, as a result of freedmen’s petitions for equality with whites, a campaign that benefited greatly from a receptive mood generated by emerging sentiment in Britain against slavery.

NOTES

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1. For a detailed discussion of the impact of the sugar revolution on the development of patterns of slave resistance and control that affected the status of freedmen, see David Barry Gaspar, *Bondmen and Rebels: A Study of Master-Slave Relations in Antigua, with Implications for Colonial British America* (Baltimore, The Johns Hopkins University Press, 1985).

2. See Vere Langford Oliver, *The History of the Island of Antigua*, 3 vols. (London: Mitchell and Hughes, 1894–1899), III. References to particular acts of manumission can also be found in the pedigree descriptions and other information about the leading island families in these volumes.

3. Most of these petitions are for title to land, and are to be found scattered through the minutes of the island legislature (Colonial Office papers, hereafter CO, 9, in the manuscript materials of the Public Record Office, London, hereafter PRO).

4. The development of seventeenth century slave resistance, especially during and after the 1680s, is discussed in *Bondmen and Rebels*, chpt. 8.

5. The probable complexities of the fate that confronted these apprentices, relative to landless freedmen, deserves further exploration in a separate article.

6. Timothy H. Breen and Stephen Innes have employed the framework of patron-client relations to explore relations between freedmen and whites in seventeenth century Virginia. See their “*Myne Owne Ground*”: *Race & Freedom on Virginia’s Eastern Shore, 1640–1676* (New York: Oxford Univ. Press, 1980). See also Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: Oxford Univ. Press, 1974), 338–340.

7. Freedmen’s petitions for grants of land before the legislature show that while mulattoes could seek title to 10 acres, free Negroes sought the same for less land, often described as a “proportion.” See, for example, “The Petition of John Willson a Mulatto for ten acres of land lying and being in the Division of Falmouth near English Harbour was read and granted.” Assembly Minutes, Jan. 25, 1728, CO9/6, PRO; “Petition of William Johnson a Free Negro man for a Proportion of Wast Land in the Town of Saint Johns bounded to the South with the Street West with a Cross Street and to the North West with Wast Land was read at this Board and granted.” Council Minutes, Oct. 18, 1732, CO9/7, PRO.

8. For a detailed discussion of this see *Bondmen and Rebels*, chpt. 3.

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———, 1707a. Minutes of Council in Assembly, May 24. CO9/1, PRO

———, 1707b. Minutes of Council in Assembly, March 24, *CO9/1, PRO*.

———, 1708. Minutes of Council in Assembly, March 13, *CO9/1, PRO*.

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