THE ORIGINS OF THE SOUTHERN SLAVE PATROL SYSTEM:

SOUTH CAROLINA, 1690-1810

A Thesis

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by

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INTRODUCTION

The problem of maintaining rigid control over enslaved populations was common to slaveholding regions in the Western hemisphere. Gwendolyn Midlo Hall asserts in her study of slave control in St. Domingue and Cuba, "The colonial powers were obsessed with one overwhelming concern: containing and controlling slaves." The threats of mass escapes and insurrections were problems the slaveholding powers in Latin America, the West Indies, Mexico, and North America vigorously attempted to solve.

In all of these regions, the governments passed laws which restricted the activities of slaves. In Latin America, Mexico, and the West Indies, the governments, during the sixteenth and seventeenth centuries, forbade slaves from travelling at night after the curfew hour, gathering in unlawful assemblies, and carrying arms. The slaves were also required to carry passes when travelling in the evening. The British colonies in North America passed similar laws in their efforts to control their slaves.

The methods of enforcing these laws, however, varied from country to country. The practice of employing mounted slave hunters was perhaps the most common means of enforcement. As early as the 1540s, Cuba and St. Domingue formed volunteer slave hunting militias called the "hermandad." These volunteer militias proved ineffective, however, in
capturing fugitive slaves or "cimarrones."³ Professional slave catchers called "ranchadores" were then hired to replace the hermandad. In Brazil, the control of slaves was left to the individual masters, although both masters and the city police often meted out punishments.⁴ In Mexico, the managers of each hacienda or estate were to check the slave quarters every night to ensure that the slaves were not harboring runaways.⁵ These methods of control were designed primarily to track down fugitive slaves, rather than to maintain continual surveillance over slaves who resided on the plantations.

Although the slave laws in North America were not original, the slave patrol system was clearly an American innovation. Unlike the slave hunters, the slave patrols were designed to patrol the individual neighborhoods or districts on a regular basis to ensure that the slaves remained on the plantation. The first American colony to establish a patrol system was South Carolina. Most of the planters who settled in South Carolina had emigrated from the West Indies, particularly Barbadoes, where slave labor flourished. It is not surprising, then, that South Carolina legislators based the colony's slave laws on the Barbadian Slave Code of 1688.⁶

The colony's slave patrols had been in operation since 1690, although the first separate slave patrol law was not passed until 1704. The goal of the legislators in forming the patrols was to enforce the slave code, especially in preventing the slaves from wandering or rising in revolt.
The fear of insurrection, in particular, was paramount among whites, as the danger of revolt jeopardized the safety not only of the planters, but of the whole community. 7

The laws outlined specific powers and duties for the patrols. The laws also placed restrictions upon the patrols in an effort to protect the slaveowner's property. In practice, the treatment of captured slaves was left to the discretion of the patrollers. Antebellum court cases and ex-slaves' testimonies confirmed that patrolmen frequently were excessive, sometimes brutal, in their punishment of slaves. Negligence of patrol duty was also a source of complaint among colonial and antebellum planters.

Despite imperfections in the patrol system, planters encouraged the continued use of the patrols and urged the colonial and state legislatures to enact revisions. The patrols operated throughout the eighteenth century and continued to operate after slavery ended. The post-Civil War patrols were no longer designed to maintain control over the slaves, but to control the entire black population in the South after 1865. The desire to retain a mounted surveillance system was no longer a matter of preserving the stability of the slave labor system, but of preserving white political and social supremacy.

Few works have been devoted to a discussion of the slave patrol system, especially during the colonial period. The goals of this thesis are to examine the beginnings of an institution that became an important part of the overall effort to control the black population, and to examine the conditions that gave rise to the patrol system. I have
chosen to examine South Carolina's patrol laws for two reasons: first, this colony was the first to establish a patrol system, and second, South Carolina became the model for other slave-holding colonies in establishing similar police systems.

This paper is divided into two parts. The first part deals with the slave patrols in general. Chapter One reveals the similarities and differences between the patrols in several southern states, but demonstrates that, overall, the slave patrols functioned much the same throughout the South. Chapter Two deals with the role the patrols played in the lives of antebellum slaves as seen through the eyes of ex-slaves. Gladys-Marie Fry's work, Night Riders, proved extremely useful in determining the place slave patrols occupied in black oral tradition and folklore. According to Fry, the patrols played a major part in the attempt to control blacks through psychological intimidation.

Most of the testimony by ex-slaves was the result of the Works Project Administration's Federal Writers Project of the 1930s, as found in compilations by John W. Blassingame, Norman R. Yetman, and Benjamin A. Botkin. Blassingame's work, Two Centuries of Testimony, was particularly useful because it contained interviews, letters, speeches, and autobiographies of ex-slaves during the nineteenth and twentieth centuries. Fry points out the shortcomings of using oral testimony as evidence: (1) the rewriting and editing of interviews for the sake of readability rather than authenticity, (2) the task of translating the various forms of black dialect, (3) biases of both the interviewer and the informant, and (4) the misinter-
pretation of information due to the lack of understanding by white interviewers of black gestures, glances, and other forms of body language. James Hoopes contends that oral history, despite its apparent weaknesses, can also be used as a valuable counterpart to written history. According to Hoopes, part of the value of oral testimony lies in its spontaneity, as interviewees tend to be more candid when speaking than when writing. In addition, oral history can be used to support written evidence. For example, we know slave patrols existed not only because statutes were passed to create them, but because many ex-slaves testified to the existence of patrols.

Part Two deals exclusively with the development of the slave patrols and the patrol laws in South Carolina from 1690 to 1810. The sources used in this section include both primary and secondary sources. The South Carolina Statutes, compiled by David J. McCord and Thomas Cooper, and Howell M. Henry's book, The Police Control of the Slave in South Carolina, were valuable in tracing the development of the patrol laws. Only a handful of eyewitness accounts from the colonial period were available to determine the efficiency of the patrols. These pieces of evidence included comments made by travellers in the South and notices planters submitted to the local newspapers on the condition of the patrol system.

Part Two consists of three chapters, each of which represents a phase in the development of the South Carolina slave patrols. Chapter Three deals with the period between 1690 and 1740. The year 1740 marked a turning point in the
development of the patrol laws, as laws became more protective of the slaves during the 1740s. Chapter Four covers the period between 1740 and 1781. During this period, the legislature of South Carolina passed one comprehensive slave code and two major patrol laws. The Revolutionary period tested the durability of the slave patrols, as the British presence in America jeopardized the planters' control over the slaves. Chapter Five concludes the study of the development of the South Carolina patrols by examining the period between 1781 and 1810.

Through a study of the South Carolina slave patrols, I will demonstrate the important role the patrols played in the lives of whites and blacks alike.

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PART ONE

THE SLAVE PATROL SYSTEM: AN OVERVIEW
CHAPTER ONE

THE SLAVE PATROLS IN THE SOUTH

By the middle of the nineteenth century, the patrol system had become the principal means of controlling the black population in the South. Both slaves and free blacks were subject to the patrol system. The object of the patrols was to prevent blacks from wandering at will and from conducting unauthorized assemblies. By creating an efficient surveillance system, slaveowners hoped to reduce the possibilities of massive escapes and insurrections.

South Carolina led the way in the development of the slave patrol system, establishing its first patrols in 1704. As the first American colony to establish a patrol system, South Carolina became the model for other southern states seeking to develop a community-based police system. Virginia was the first colony to follow South Carolina's example when it established a patrol system in 1727 to disperse unlawful gatherings of slaves and free blacks. Georgia, creating a patrol system in its Slave Code of 1755, modelled its provisions after South Carolina's Patrol Law of 1740. North Carolina and Tennessee followed in 1753 with the appointment of "searchers" or ad hoc patrolmen to keep watch over the slaves. North Carolina established a regular patrol system in 1794, and in 1806 Tennessee did the same through the passage of formal patrol laws. Kentucky formed its patrols
in 1799, Louisiana in 1806, and Missouri in 1825.

Three types of patrols developed in the slaveholding states: the town watch, the river patrols, and the rural patrols. Many cities in the South formed patrols that operated exclusively within the boundaries of the city. These patrols were designed to discipline and control the activities of both slaves and free blacks. The town patrols, separate from the patrols that supervised the countryside, usually fell under the jurisdiction of the Town Commission. In North Carolina, for example, the towns of Raleigh and Edenton had established city patrols by 1806. Usually, these patrollers did not receive salaries for their services. The most common ordinance the patrols enforced dealt with "the better observance of the Sabbath," which curtailed the activities of blacks on Sunday. Nightly curfews, which restricted the free movements of urban blacks after dark, were also common in most North Carolina towns. Georgia also set up town patrols. These forces were to patrol the town and its corporate limits from 9 p.m. until dawn, and enter peaceably "any private enclosure, and to search any Negro house [usually for arms or stolen goods], but to commit no violence, except in the moderate punishment of persons of color."

Some states established patrols to guard the major rivers. In Kentucky, for instance, the Ohio River was a possible escape route for slaves. Consequently, many of the riverfront counties placed the Ohio River under constant surveillance. The duty of the river patrols was "to guard and watch the places of crossing, and to notice the condition
and situation of all water craft upon the Kentucky shore of the Ohio River."\textsuperscript{12}

The most common type of slave patrols operated in the rural parts of the South where plantations were located and where the greatest numbers of slaves resided. The fundamental duty of the rural patrols was to travel from plantation to plantation and capture any slave found outside his master's residence without written permission. Each county in the state was divided into patrol districts in an attempt to reduce the amount of territory each patrol unit was to cover. In Louisiana, church parishes doubled as patrol districts. Gladys-Marie Fry, in her study of the patrols, points out that in many instances the patrol districts were too large for the patrols to cover adequately. Patrols were to confine their duties to their own districts, although patrolmen occasionally captured slaves from other counties or districts, in which case they often received rewards. The frequency of ridings was determined by the individual counties and was often dependent upon the numbers of slaves in the county. In general, patrolmen were to make their rounds at least once a month.\textsuperscript{13}

In North Carolina, the slave patrolmen were to patrol their districts at least twice a month.\textsuperscript{14}

Counties drew their patrol units from the state militia. As a result, men who served in the militia probably also participated in their community slave patrols. Eligibility for patrol duty varied from state to state and from county to county. In South Carolina and the rural areas of Georgia, for instance, all white males between the ages of 16 and 60
were eligible for patrol service. In the Georgia town of Washington, however, all white men between 16 and 45 were subject to patrol duty. In almost all cases, only white men were allowed to serve on the patrols. On rare occasions, slaves were permitted to ride with the patrols to accompany their masters.

Compensation for patrol service varied from state to state. In some states, patrolmen received a fixed fee. Tennessee patrolmen, for example, received one dollar per night or day of service. Virginia patrollers received seventy-five cents, and their captains received one dollar for every twelve hours of service. Other states, such as North and South Carolina, provided exemptions for patrolmen from other areas of public service as an incentive to performing patrol duty. In North Carolina, patrolmen were exempt from service as jurors, constables, and from paying taxes. In 1794, these patrolmen received pay derived from taxes the state had placed upon slaves.

In Kentucky and Louisiana, patrolmen received rewards for capturing slaves without passes. In Kentucky, patrolmen were paid a reward of twenty-five dollars for every slave they apprehended who resided within their county. If the patrols captured a slave who lived on a plantation in another county, they received a fifty dollar reward for the apprehension and return of the slave to his master. In Louisiana's St. Charles' Parish, patrollers were paid a ten dollar reward for capturing a slave from another parish, and twenty-five dollars if the slave was armed. If the runaway belonged on a plantation
within the parish, the patrol received only three dollars, and ten dollars if the slave carried arms. 21

A system of fines for neglecting or refusing to serve on the patrols accompanied the compensation provisions. In Tennessee, patrolmen were fined five dollars each time they refused to ride. Macon County, Georgia imposed a three-dollar fine upon each person who failed to perform patrol duty and a ten-dollar fine upon any captain who failed to muster his men. 22 Despite the imposition of fines, evasion of patrol duty apparently was common, especially by wealthy citizens who evidently preferred to pay the fines. Robert Toombs of Georgia, for instance, regularly paid his patrol fine for consistently failing to serve. 23 In North Carolina, failure to perform patrol duty resulted in a fine of ten pounds in 1794, half of which was paid to the person who informed the patrol captain of a patrolman's absence. The other half of the fine went to the county treasury. 24

One of the duties of the patrols was to disperse unauthorized assemblies of slaves. Even social gatherings were discouraged, as they were seen as potential hotbeds of slave plots. Virginia patrols were to visit all slave quarters as well as "other places suspected of entertaining unlawful assemblies of slaves, servants, or disorderly persons." 25 The Jefferson Parish Police Jury of Louisiana passed a similar ordinance in 1834. The Jefferson patrols were to visit all places they suspected of harboring slave assemblies and to disperse the groups of slaves they found. 26

Laws forbidding social gatherings of slaves were
consistently violated, however, as slaveowners frequently allowed their slaves to attend balls and dances on neighboring plantations. Sometimes the patrols were discouraged from interrupting these parties. In one instance, a court in North Carolina chastized a patrol team for attempting to break up a slave dance. The court reported in the State vs. Boyce in 1849, "We may let them make most of their idle hours, and may well make allowances for the noisy outpouring of glad hearts, which providence bestows us as a blessing on corporeal vigor united to a vacant mind." Moreover, slaveowners violated the law by preparing great feasts for their slaves, especially at holidays and the end of the harvest season. Slaveowners also permitted their slaves to visit friends and relatives on neighboring plantations, as long as they possessed written passes. As John W. Blassingame points out in his analysis of the slave community, slaves were subject to less supervision during these recreational hours. Slaveowners, however, did not want their slaves to extend their merrymaking into the pre-dawn hours. Weary slaves, they believed, could not labor at maximum capacity during the workday. As a result, slaveowners locked their slaves in their quarters at night and relied on the local slave patrols to ensure that the slaves stayed in their cabins.

All slaveholding states required slaves to possess passes from their masters, mistresses or overseers if they intended to leave the plantation. Slaves often attended legitimate business outside of the plantation. For instance, slaveowners often hired out their skilled slaves to work for
another master in a nearby town or plantation. Other slaves performed duties for their masters, such as carrying messages from their masters to neighboring planters. Slaves who attended church services or dances were also required to carry passes. According to Morris Sheppard, an ex-slave from Oklahoma:

We had to have a pass to go any place to have singing or praying and den they always a bunch of patrollers around to watch everything we done. Dey would come up in a bunch of about nine men on horses, and look at all our passes, and if a Negro didn't have no pass dey wore him out good and made him go home. Dey didn't let us have much enjoyment.

Jordan Smith, an ex-slave from Georgia, recalled his experience with patrollers after being caught without a pass:

Sometimes us run off and go to a dance without a pass and about time they's clickin' they heels and getting set for the big time, in come a patterroller and he say, 'Havin' a big time, ain't you? Got a pass?' If you didn't, they'd get four or five men and take you out and when they got through you'd sure go home.

J. Winston Coleman, Jr., in his book, Slavery Times in Kentucky, presents an example of a legitimate pass from his own collection:

June 13, 1854.

Pass to Danville & return by sun-down my black boy Sam, age 24 years & stout made. He is sent on my business.

Rich. E. Stewart.

The pass requirement, in addition to restricting the free movement of blacks, also placed the burden of writing out the passes upon the shoulders of the master. Consequently, the master's responsibility for his slaves' actions increased. The patrollers were to whip slaves found without
passes. The number of lashes the patrollers were authorized to mete out varied from state to state. According to Georgia and Louisiana patrol laws, the patrollers who caught slaves without passes were to inflict a maximum of twenty-five lashes upon the slaves' bare backs. The Tennessee law of 1856 allowed patrols to inflict a maximum of fifteen stripes upon blacks, slave or free, found without passes. Free blacks usually were required to display papers proving their freedom. Several counties in North Carolina passed a similar law, which required free blacks to wear a cloth badge on their shoulders, bearing the word, "FREE" in capital letters to prove their status. In Virginia, the patrol law of 1738 authorized its patrollers to take any slave found without a pass to the local justice of the peace for a whipping of no more than twenty lashes.

Although the state legislators had passed elaborate and explicit slave patrol laws, the actual operation of the patrols was left to members of the community. Like other institutions, the slave patrol system was prone to human failings and inadequacies. The most common shortcoming in the patrol system was either overzealousness or laxity in the performance of duties. Clearly, patrols sometimes abused their powers. As John B. Cade asserts, "Negro hunting, Negro catching and Negro watching constituted the favorite sport of many youthful whites." The most common forms of abuse seemed to be the excessive whipping of slaves and the whipping of slaves who were innocent of wrongdoing.

In many instances, the courts rebuked the patrols for
misusing their powers. The supreme court of Tennessee ruled in 1859:

It is of great importance to society that these police regulations connected with the institution of slavery, should be firmly maintained; the well-being and safety of both master and slave demand it. The institution and support of the night watch and patrol on some plan are indispensable to good order, and the subordination of slaves, and the best interest of their owners. But the authority conferred for these important objects must not be abused by those upon whom it is conferred, as it sometimes is by reckless persons. If they exceed the bounds of moderation in the injury inflicted and transcend the limits prescribed by law for the office of patrol, if it be found that they were not entitled to that jurisdiction, then they will be liable under a verdict to that effect. 38

In 1853, a Houston County grand jury in Georgia requested that the captains of the patrols be men of "experience and discretion...as it is frequently the case that those appointments are given to inexperienced young men who defeat the very object of their appointment under the law." In Ralph Betts Flanders' interpretation, young officers tended to treat captured slaves harshly. 39 In one court case in Kentucky, it was charged that in the larger slaveholding sections in the state "the wanton malice of the patrol" often was evident. 40 Harsh treatment often constituted excessive whipping, burning, and torture.

If a patrol killed or maimed a slave, the owner sometimes sued for damages. In the Louisiana case of Stoker vs. Leavenworth in 1834, Stoker charged General Henry Leavenworth and Captain Andrew Lewis with ordering their patrolmen to kill his slave. Stoker received $1,500 for the value of his slave. 41 In Loussade vs. Hartman in 1840, the plaintiff won his suit for $1,000 for the death of his slave, Sandy, at the hands of patrols.
According to Loussade, the patrolmen had claimed Sandy's pass was not legitimate. To avoid arrest, the slave threw himself into the bayou and drowned. In a similar case in South Carolina, a slave's pass had not specified the slave's destination. The court ruled, however, that "the pass need not state to what place the negro shall be permitted to go. It is sufficient if it expresses a leave of absence, for such a time." In the Georgia case of Brooks vs. Ashburn, Brooks received $800 for the value of his slave after Captain Ashburn and his patrolmen had killed him. In some states, the patrols apparently were forbidden to trespass on a planter's property to punish a slave. In Walker vs. Brown in Tennessee, the plaintiff received $40 from the defendants for trespassing on the plaintiff's land and for whipping his slave. A similar decision was made in 1859 in Tomlinson vs. Darnall.

Legislators and slaves blamed much of this abuse on the intoxication of the patrollers. The South Carolina Patrol Law of 1740 attributed the inefficiency of the patrols to "their drinking too much liquor before or during the time of their riding on duty." Lydia Maria Childs, in her 1847 interview of Charity Bowery, a slave from North Carolina, supported this belief:

In the course of my conversation with this interesting woman, she told me much about the patrols, who, armed with arbitrary power, and frequently intoxicated, break into the houses of the colored people, and subject them to all manner of outrages.

Complaints about the laxity of the patrols were as common as the complaints about the cruelty and overzealousness of the patrollers. It appears that the slave patrols often
neglected their duties. Eugene D. Genovese comments in Roll, Jordan, Roll that patrols were slack in their duties, particularly when the slaves were quiet. Charles S. Sydnor, in his examination of slavery in Mississippi, asserts that "the patrol seems to have been no more efficient than the medieval town watch." Kenneth Stampp further points out that the patrols usually performed efficiently in areas which contained the largest slave population.

Apparently, the problem of negligence was evident during the colonial period as well as during the antebellum period. The September 16, 1763 issue of the Georgia Gazette, for example, contained a notice written by Patrick Macay, owner of the "Hermitage" plantation near Savannah. In the notice, Mackay stated that he was "grievously and insufferably annoyed and disturbed" by blacks entering his plantation at night and stealing his livestock and crops, and for "debauching his slave wenches." The patrols apparently had not been effective in performing their duties around the "Hermitage." Mackay announced he would hire a sentry to shoot blacks, slave or free, found on his property between sunset and sunrise.

A Virginia planter, John Tayloe, evidently shared Mackay's dissatisfaction. In a letter to the district patrol colonel in 1771, Tayloe complained about the negligence of the patrols in controlling the slaves. In his letter, Tayloe also rebuked the colonel for failing to control his own slaves' activities:

"Dear Col

"...Now give me leave to complain to you. That your
Patroll do not their duty, my people are rambleing about every night,...my man Billie was out, he says he rode no horse of Master & that he only was at Col. Carter's by particular invitation, so that the Entertainement was last night at Sabine Hall, & may probably be at Mt Airy this night, if my discoveries do not disconcert the Plan, these things would not be so I think, if the Patrollers did the duty they were paid for."51

Dissatisfaction with the patrols was also evident during the antebellum period. In 1825, the editor of the Woodville Republican in Mississippi cried for more effective slave patrols:

We would earnestly call upon the attention of those whose duty it is to the communication which appears in our paper today upon the subject of Patrols. The many depredations which have of late been committed by runaways predict the immediate necessity of keeping up a rigid patrol.52

On December 22, 1822, the Woodville Republican contained a complaint by a citizen about the freedom slaves received during the holidays.53

Thus, complaints about the slave patrols arose from both slaveowners and slaves. While planters consistently complained about the laxity of the patrols, slaves and some slaveowners complained about the brutality of the system. The inadequacies of the patrol system led most states to periodically reinforce and ameliorate existing patrol laws. The South Carolina slave patrol laws, which date back to 1704, are probably the best examples of consistent efforts by legislators to improve the system. From the viewpoint of many whites, however, improvements in the law did not necessarily mean a more efficient slave patrol system in practice. As ex-slaves later testified, the patrols went beyond efficiency to the point of cruelty.
The patrol system had become an important part of the Southern slaveholding community. For whites, the patrol was the only tangible means for controlling the activities of the black population. For blacks, slave and free, the patrols were repressive and brutal. As a result, they made a lasting imprint upon the ex-slave's recollection of his bondage.
CHAPTER TWO

THE SLAVES' VIEW OF THE PATROLS

However inefficient the slave patrols seemed to many whites, the patrols apparently played an important part in the lives of slaves. Clearly, the "patterroller" had secured a place in black folk tradition. Slave testimony reveals that the view of antebellum slaves toward the patrols was a mixture of fear, humor, and contempt. Predictably, the slaves feared the patroller's whip, especially in states where disobedient slaves might receive up to twenty-five lashes. Often, slaves tried to outrun the patrols if travelling at night without a pass. Evidence of the slaves' humorous look at the patrols can be seen in black folk lore, particularly in the numerous adaptations of the song slaves created about the patrols.

Slaves also looked upon the patrollers with contempt. Genovese argues that slaves were hostile toward patrollers partly because they generally were lower class whites. Apparently, slaves had maintained closer contact with poor whites than with members of the slaveholding class. According to Genovese, hostility between the two most impoverished classes, as poor whites often cheated slaves and seduced young slave women in addition to serving on the hated patrols. The following testimonies given by slaves and ex-slaves during the nineteenth and twentieth centuries help to illustrate the workings of the
patrols from the slaves' perspective.

Contempt for the patrollers and for their status in society can be seen in much of the testimony. For instance, Anthony Dawson, an ex-slave from North Carolina, recalled, "Dem railroaders [members of the Underground Railroad] was honest, and dey didn't take no presents, but de patrollers was low white trash!...." In another account, a former slave stated:

Why the good white folks put up with them poor-white-trash paterollers I never can see or understand. You never see classy buckra men a-pateroling. It was always some low down white men, that never owned a nigger in his life, doing the paterolling and a-stripping the clothes off men like Pappy right before the wives and children and beating the blood out of them. No, sir, good white men never dirty their hands and souls in such work of the devil as that.

Another account stated, "Most of them there patrollers was poor white folks, I believes. Rich folks stay in their houses at night, 'less they has some sort of big frolic amongst theirselves. Poor white folks had to hustle round to make a living, so they hired out theirselves to slaveowners and rode the roads at night and whipped niggers if they caught any off their plantation without a pass...." This portrayal of antebellum patrollers was probably correct, as the slave patrol laws often allowed enlistees to hire substitutes for patrol duty.

According to the accounts given by ex-slaves, the names for patrollers varied. Some slaves referred to them as "patter-roses," "paddle-rollers," and "paddle-rolls." Others called patrollers the "patrole," padaroe," and the "paderole." The most commonly used term was "patterroller."
Fry points out that slaves often used these various terms as part of an elaborate system of communication between the slaves. By disguising the terms, slaves could safely speak about the patrols in the presence of whites.

Surprise visits by the patrolmen had quickly prompted slaves to develop an elaborate warning system. The ability of the slaves on plantations to develop a system of communication helped to diminish the effectiveness of the patrols. The slaves often set up separate warning systems for routine patrol missions as well as for special missions designed to break up a secret slave meeting. In many instances, the slaves were able to circumvent the patrols. Slaves who worked in the homes of their masters had greater access to information about upcoming patrol rounds than did field hands. By working in the Big House, slaves sometimes discovered which plantations the patrols planned to visit and passed the news on to other house slaves and the field hands. Henry Cheatham, an ex-slave from Mississippi, gave testimony to this assertion:

In dem days, de slaves done all de work and carried all de news. De marsters sent notes from one plantation to another, and when dey wanted de niggers to come to de Big House dey would blow an old cow horn. Henry Cheatham, an ex-slave from Mississippi, gave testimony to this assertion:

Warnings of an upcoming patrol mission were often circulated among the field hands in the form of a coded chant. To the white master or overseer, the chant probably appeared to be an innocent game to break the monotony of field work. The slaves knew, however, that the song was a warning that the patrols were nearby. Millie Williams, a former slave from Texas, described a typical coded message: "When we's in de fields and sees de padder roller ride by, we starts murmerin'
out loud, 'Patter de pat, patter de pat.' One after nuther took it up and purty soon everybody murmerin'. We allus do dat to let everybody know de padder roller 'round.  

During secret meetings, slaves often appointed a sentry to watch for approaching patrols. Andy Williams, an exslave from Texas, explained that the sentry would place his ear to the ground to hear the hoofbeats of upcoming patrollers. The sentry might set up a more elaborate device, which sometimes consisted of tying a rope to a nearby tree. When the slave saw patrollers coming, he pulled the rope to sway the tree, and, thereby, warn the other slaves attending the meeting.  

Slaves were fully aware of the purpose of the patrols. As one former slave attested, "The patrollers' business was to see that niggers would not rove around at night without the master knowing about it." Ex-slaves often included in their testimonies recollections of how the patrols functioned. Many remembered needing a written pass whenever they were to leave the plantation. Ferebe Rogers, an exslave from Georgia, stated:

You had to have passes to go from one plantation to another. Some de niggers would slip off sometime and go without a pass, or maybe Marster was busy and dey didn't want to bother him for a pass, so dey go without one. In every district dey had about twelve men de call patterrollers. Dey ride up and down and round looking for niggers without passes. If dey ever caught you off your plantation with no pass, dey beat you all over.  

Lizzie Williams, an exslave from Alabama, recalled:

I members about de patterrollers. De niggers have to get a pass from de massa or de missus if dey go anywhere. De patterrollers just like police. About a dozen of dem ride along together. First dey say: 'Where you pass? Den
if you have one dey lets you go but if you don't have one
dey strips you to de waist and dey lams you good till de
blood comes. Sometimes dey rolls you over a barrel and
lams you while de barrel rolls.  
Andrew Brown, an ex-slave from North Carolina stated, "If you
was out without a pass dey would sure get you. De patter-
rollers sure looked after you. Dey would come to de house
at night to see who was there. If you was out of place, dey
would wear you out." 67 Andy Marion, a former slave from
South Carolina, described the contents of a typical pass, "A
pass was like dis: On it was your name, what house you goin'
to, and de hour expected back. If you was cotched at any
other house, patterrollers whip you sure." 68

According to some recollections, cruel masters some-
times wrote passes which ordered the patrols to beat their
slaves. These passes sometimes read: "Give this nigger hell." In one account, an ex-slave remembered, "...there was one
woman owns some slaves and one of 'em asks her for a pass, and
she give him the piece of paper supposed to be the pass, but
she writes on it:

His shirt am rough and his back am tough,
Do, pray, Mr. Patterroller, give him enough.
The pattering rolla beat him nearly to death, 'cause that's
what's wrote on the paper she give 'em." 69

The law requiring slaves to possess passes was not a
foolproof method for preventing slaves from wandering away
from the plantation without their masters' consent. As Fry
points out, the law assumed all patrolmen were literate and
that all slaves were illiterate. Slaves who could read and
write often took advantage of their skills and forged their
passes. Apparently, forgery was a common practice among slaves that enabled them to either visit slaves on other plantations or to escape from their masters. At times, slaves fooled literate patrolmen with forged passes.

James Fisher, an ex-slave from Tennessee, recalled how he escaped from his master by writing his own passes:

...as soon as I got my kitchen work done that day I set myself to writing passes, till I got one that suited me. It was a permission to go to Nashville, and stay two weeks, signed with my mistress' name. In the evening, I went to the stage-office, and asked the landlord if I could take passage to Nashville the next morning. He demanded my pass. I showed it, telling him that mistress was not much used to writing passes for the servants, and she wished him to look at it, and see if it was correct; if not, he would please send it back again, and she would alter it as he said; but that mistress wanted him to write her a few lines about it. He wrote accordingly; I went back to my room, read the note, and burned it. I then went back to the tavern, and paid my passage to Nashville. 70

Sella Martin, an ex-slave from Georgia and Alabama, wrote her account of her slave experience in an autobiography in 1867. She recalled:

I had provided myself with pen, ink, and paper, to write a pass for my mother, in case she agreed to run away with me. So when this man joined me, I asked him if he had a pass, and I offered to write one for him.... 71

A.T. Jones, a former slave from Kentucky, ran away to Canada. In 1863, he told of how he had forged his passes:

I could scarcely put two syllables together grammatically, but in fact, one half the white men there were not much better. I wrote my pass---"Please let the bearer pass and re-pass, on good behavior, to Cincinnati, and return." 72

Apparently, slaves knew which patrolmen could read and which ones could not. Slaves often fooled illiterate patrolmen by presenting passes that had expired. Floyd Warlaw Crawford, an ex-slave from Arkansas, recalled:
...The Negroes were smart enough themselves to know that most of the police and most of the patrollers couldn't read, and they knew the ones who couldn't read. But the patrollers and the police didn't know the Negroes knew they couldn't read. So the Negroes could hand him a pass a year old, and he would pass him right on. Yes, that many times did happen.  

As ex-slaves and court cases attested, patrolmen often were cruel in their punishment of slaves. W.L. Bost, a former slave from Newton, North Carolina, recalled how one slave died from excessive whipping:

I remember how they killed one nigger whippin' him with a bullwhip....He was a stubborn Negro and didn't do much work as his massa thought he ought to. So they take him to the whippin' post, and then they strip his clothes off and then the man stand off and cut him with the whip. His back was cut all to pieces. The cuts about half inch apart. Then after he lie in the sun a-while they whip him agin. But when they finish with he, he was dead.  

Fanny Moore, an ex-slave from South Carolina, remembered witnessing the killing of her cousin at a slave party by patrollers, "Dey whip him with a cowhide for a long time, den one of dem [patrolmen] take a stick and hit him over de head, and just bust his head wide open. De poor boy fell on the floor just a-moanin' and a-groanin'. De patterrollers just whip half a dozen other niggers and send 'em hom and leave us with de dead boy." Elize Davison, an ex-slave from Virginia, stated that the patrols sometimes whipped slaves caught without passes for sport--"Sometimes them patterrollers his us just to hear us holler."  

Slaves often devised ways of combatting the patrols. As mentioned above, one tactic the slaves used was the counterfeit pass and the expired pass. Another method slaves used to trick the patrollers was for the slave to tie cowbells
around his neck when sneaking away from the plantation without a pass. The slaves hoped this tactic would fool the patrollers into thinking the slaves were cows. Lack of visibility at night undoubtedly aided the slaves in tricking the patrols in this way. Sometimes slaves tied a rope across the road, causing the patrollers and their horses to fall.77

Slaves frequently expressed their views of the patrols through song. According to Blassingame, problems inevitably arise when attempting to analyze slave songs. He argues that although the songs about slave life reflected the slave experience, they were recorded after slavery had ended. As a result, the experience of freedom influenced the songs, which often represented only what blacks wanted whites to hear.78 Blassingame suggests that the only solution to this problem is to use only evidence from witnesses who actually heard this music before and during the Civil War.

The songs the slaves created about the patrols appear satiric and humorous, although they also convey the slaves' fear of being caught by the patrollers. As Harold Courlander asserts in Negro Folk Music, "As throughout Negro singing generally, there is an incidence of social criticism, ridicule, gossip, and protest."79 Several versions of the patrol song circulated throughout the South during the antebellum period. Ferebe Rogers recalled the patrol song she knew in Georgia during slavery: "Run, nigger, run, de patterroller get you, Slip over de fence slick as a eel, White man catch you by de heel, Run, nigger, run!"80 Henry Baker, an ex-slave from
Alabama, remembered this version of the song:

"Run Nigger Run-De Patarolls Ketch Yuh Jes 'fo Day"
Please Ol' Marster
Don' Whup me
Whup dat Nigger
behin' dat tree

I run I run
I run mah bes'
I run putty clos'
Tuh er hornets nes'.

De Pataroes run
Dey run dere bes'
Dey run right in
De hornets nes'.

While these two versions reflect a humorous look at the patrols, Anthony Dawson recalled a more serious view of the patrol song:

Run, Nigger, run
De Patterroll get you!
Run, nigger, run
De Patterroll come,
Watch nigger watch,
De Patterroll trick you!
Watch nigger watch,
He got a big gun!82

The sixth line of this verse is particularly revealing, as some ex-slaves testified that patrollers would often hide in the bushes and then jump out to capture unsuspecting slaves.83 According to Dawson, "Dat one of the songs de slaves all knowed, and de children down on de 'twenty-acre' used to sing when dey playing in de moonlight round de cabins in de quarters. Sometimes I wonder iff en de white folks didn' t make dat song up so us niggers would keep in line."84

Sterling Stuckey, in his article, "Through the Prism of Folklore," presents yet another version of this song. Stuckey points out that through song slaves often admired the
slaves' swiftness in attempting to outrun the patrollers:

Run, nigger, run, de patrollers will ketch you,
Run, nigger, run, it's almost day.
Dat nigger run, dat nigger flew; 85
Dat nigger tore his shirt in two.

Coleman, in his study of slavery in Kentucky, found a fifth variation of the song:

Run, nigger, run, de patteroll catch you,
Run, nigger, run, fo' it's almos' day.
Massa is kind, an Missus is true,
But if you don' mind, de patteroll catch you! 86

Also evident in ex-slave testimony were descriptions of the costumes patrollers often wore when making their rounds. Fry argues that the wearing of outlandish costumes was an attempt by the patrollers to intimidate slaves. According to Fry, psychological pressure based on the slaves' fear of the supernatural was a technique used by both antebellum patrols and the Ku Klux Klan of the Reconstruction period. Apparently, the quality of the costumes varied between individual patrol units. The outfits ranged from custom made, elaborate costumes to crude outfits made out of old bedsheets. According to ex-slaves, the patrollers sometimes wore black caps and draped black rags over their faces. Other patrollers wore an ensemble of white boots, black shirts, broadbrimmed white hats, and black britches. Most patrollers also rode dark horses to cut down on visibility as well as to add the mysteriousness of the entire outfit. Still other patroliemen, in an effort to resemble ghosts, wore white bedsheets, robes or masks. 87

Antebellum patrollers apparently used various props to aid in frightening the slaves. One device patroliemen used
was the collapsible rubber bag hidden beneath the costume. The patrollers would come to the homes of slave, asking for a drink of water. With the help of the rubber bag, the patrollers gave the illusion that they could drink several gallons of water within a few seconds. In one instance, the slave who witnessed the event reacted by throwing shovelfulls of hot ashes at the patrolmen. Klansmen also adopted this method of frightening blacks during Reconstruction.

Slaves were also aware of planter opposition to the slave patrols. On some plantations, the master forbade the local patrols from entering his plantation and intimidating his slaves. Fry argues that planter hostility toward the patrols during the antebellum period was evidence of the growing hostility between the classes: slaveowner versus non-slaveowner. Fry's interpretation of this apparent hostility is a reasonable one, since, as slave testimony has indicated, even the slaves looked upon the patrollers as "poor white trash." It is probable that the masters agreed with the slaves on this point. As ex-slave testimony demonstrates, some planters placed restrictions upon the patrols. Mary Anderson, an ex-slaves from Wake County, North Carolina, recalled: "Patterrollers were not allowed on the place unless they came peacefully, and I never knew them whipping any slaves on Master's place." Elbert Hunter, also from North Carolina, recalled that when he was a slave:

Massa aint 'lowed no patterrollers on his place, but one time when he wuzn't ter home my mammy sent me an' Carolina ter de nex' door house fer something an' de Patterrollers got us. Dey carried us home an' 'bout de time dat dey wuz axin' questions young Massa Knox rid up.
He looked dem over an' he sez, "Git off dese premisis dis minute, yo' dad-limb sorry rascals, if us need yo' we'll call yo'. Ma pappy patterrols dis place hisself." Dey left den, an' we ain't been bothered wid 'em no more.

The court cases mentioned in the previous chapter support the testimonies given by Anderson and Hunter and demonstrate that some planters did forbid the patrols from entering their plantations.

Although the slave patrol system as a formal institution disappeared after the Civil War, the desire among white Southerners to maintain control over the blacks remained. The Emancipation Proclamation had decreed the end of slavery in 1863, and the Confederate loss in 1865 only certified the blacks' freedom. In the eyes of many Southern whites, the liberal policies of the Radical Republican governments further loosened their traditional hold over the black population in the South. Thus, old-line whites saw the lifestyle they had cherished before the war disintegrate during Reconstruction. Southerners knew they could not rely upon their state governments to win back control over the blacks. As a result, vigilante groups, particularly the Ku Klux Klan, emerged to assume the duties of the antebellum slave patrols. The ultimate goal of the Klan, says Fry, was to keep the blacks in perpetual bondage through the use of psychological control. By intimidating the freedman, the Klan hoped to regain white control over blacks and, thereby, maintain supremacy in the South.

An extra-legal organization, the Ku Klux Klan began with a small group of men in Pulaski, Tennessee in 1865. Originally, the Klan's activities constituted riding through the countryside playing pranks on freedmen. Gradually, however,
the goals of the Klan changed as its membership grew. Allen W. Trelease states in *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction*, "Beginning as a social fraternity devoted to playing pranks, it was soon transformed into a terrorist organization aimed at the preservation of white supremacy."  

William Peirce Randel, in his book *The Ku Klux Klan: A Century of Infamy*, is less reproachful in his assessment of the Klan's aims. He states in his preface: "The Klan was doing only what the regional majority wanted—preserving the American way of life as white Southerners defined it."  

Many Southern whites and blacks viewed the Klan as an extension of the early slave patrol system. Evidence to support this argument can be found in the Ku Klux Klan report from Georgia: "It [the Klan] was a follow-up of the old system of patrolling. It originated in that. It may have emerged into other things." The "other things" this report probably refers to is the tradition of violence the Klan quickly established. Unlike the patrols, the Klan was not sanctioned by the law and, therefore, was not subject to a system of rules and regulations. As a result, the Klansmen felt free to expand their powers. According to ex-slave testimonies, freedmen often suffered more severe punishment under the Klan than under the patrols.  

While some former slaves knew that the Klan and the antebellum patrols were not the same, others saw no difference between the two organizations. F.H. Brown, a former slave from Arkansas, contended that the patrols continued to function
after the war. He stated in his testimony: "The patrols

carried on their work a good while after slavery was over and
the Civil War had ended." J.T. Tims, an ex-slave from
Mississippi, recognized the distinction between the Klan and
the patrols, but believed their activities were the same:

They had patrols round watching the colored people
to keep them from running off. That's all I know about
them....I heard lots about the Ku Klux Klan. They were
terrible. The white folks had one another goin' round
watching and keeping them from runnin' off....There
wasn't no difference between the patrolers and the Ku
Klux that I knows of. If they'd catch you, they would
whip you. I don't know nuthin' about the Ku Klux Klan
after the war.98

Joseph Samuel Badgett, an ex-slave from Arkansas, provides
the clearest explanation regarding the differences between
the Klan, the patrols, and the jayhawkers:

Pateroles, jayhawkers, and the Ku Klux Klan came
before the war. The Ku Klux in slavery times were men
who would catch Negroes out and keep them....The pateroles
would catch Negroes out and return them if they did not
have a pass. The jayhawkers were highway men or robbers
who stole slaves among other things. At least, that is
the way people regarded them. The jayhawkers stole and
pillaged, while the Ku Klux stole those Negroes they
cought out. The word "Klan" was never included in their
names.99

The above two testimonies also indicate that perhaps
the Ku Klux Klan existed before the war. The following account
by G.W. Hawkins disagrees, asserting that the Klan emerged
after the war, not before:

You had to get a pass from owners to go out at night.
If you had a pass and the pateroles found you, it was all
right if you hadn't overstayed the time that was written
on it. If you didn't have a pass or if you overstayed
your time, it was still all right it you could outrun the
pateroles. That held before freedom and it held a long
time after freedom. The pateroles were still operating
when I was old enough to remember those old quarters. They
didn't break them up for a long time. I remember them my-
self. I don't mean the Ku Klux. The Ku Klux was a differ-
ent thing altogether. I don't know where they got the name
from—I don't know whether they gave it to themselves or the people gave it to them. But the Ku Klux came after the war and weren't before it.100

Hawkins' account, however, does indicate that the patrols may have remained in existence as an informal institution after the war. Apparently, blacks were still required to possess passes after the war, as Hawkins' testimony demonstrates. Charley Williams, an ex-slave from Louisiana, supports Hawkins' report:

The Ku Kluckers start riding around at night and they pass the word that the darkies got to have a pass to go and come and to stay at dances. They have to get the pass from the white folks they work for, and passes writ from the Northern people wouldn't do no good. That the way the Ku Kluckers keep the darkies in line.101

For the first two years of its existence (1865-67), the Ku Klux Klan intimidated blacks by taking advantage of their known superstitions.102 After 1867, however, the Klan turned more and more to violence. The Klan clearly was an extension of the earlier patrol system, as both ex-slaves and Southern whites have attested. The Klan represented the refusal by Southern whites to relinquish a system of control that had become traditional in Southern society. The desire to maintain control, then, extended beyond the preservation of a valuable labor system to the preservation of white social and political dominance in the South.

The concept of a community slave patrol system has its roots in the early seventeenth century. South Carolina was the first American colony to establish a formal system of patrols, and became the model for other Southern colonies and states to follow when setting up their own police systems. The
best place to begin a study of one of the oldest institutions of control in the South is in the colonial period and in the colony where the system began.
PART TWO

THE SOUTH CAROLINA SLAVE PATROLS:

THE BEGINNING OF A REGULAR SURVEILLANCE SYSTEM
CHAPTER THREE

THE NEED FOR CONTROL:

THE DEVELOPMENT OF SLAVE PATROLS IN SOUTH CAROLINA

[1690-1740]

Since the beginning of Negro slavery in South Carolina, white leaders had pushed for the creation of a system of control over the colony's rapidly expanding black slave population. The early settlers of South Carolina, most of whom had emigrated from the British island of Barbadoes, had brought with them a plantation-based economy that thrived on slave labor. They also brought with them a long-standing fear of slave unrest.

Rumors of slave rebellions and actual instances of unrest had been common occurrences in Barbadoes throughout the seventeenth century. It is not surprising, then, that these planters devised one of the earliest slave codes and systems of domestic police control in the history of the American colonies. South Carolina based its early slave code upon the customs of the slaveowning class in Barbadoes, codified in the Slave Code of 1688.

The fear on the part of many whites, although exaggerated at times, can be attributed to two important factors. First, many whites feared the blacks would eventually outnumber whites if the rapid growth of the slave population continued. Second, whites believed the influence of foreign
powers in America would encourage the slaves to escape or revolt against their masters. Whites feared that the slaves, aided by the Spanish in Florida, would one day revolt in a massive overthrow of the white ruling class. Winthrop Jordan aptly assessed the attitude of whites, stating, "the spectre of Negro rebellion presented an appalling world turned upside down, a crazy nonsense world of black over white, an anti-community which was the direct negation of the community as white men knew it." In order to quell the fears of the white citizenry, the General Assembly of South Carolina passed laws in the form of black codes to restrict the activities of slaves. Perhaps because of an early aversion to a professional standing army, the enforcement of the codes was the responsibility of the white citizenry in the form of small citizen-based slave patrols. The fundamental duty of the patrols was to enforce the slave laws and maintain order in the slave community by regularly patrolling the countryside and towns.

The slave law of 1682 was the earliest attempt to place the control of slaves in the hands of the white community. This law, although not comprehensive, provided that any person (presumably white) had the right to apprehend those blacks found outside their masters' plantations without a written pass between sunset and sunrise, and "reasonably to chastise and correct, and cause to be sent home to his or their several owners." The Assembly renewed the law in 1686, and in 1690, it became the duty of all white persons to watch for wandering slaves and, in a sense, to perform their personal
patrol duty.

Winthrop Jordan maintained that the prevailing attitude of whites toward blacks was, for the most part, one of extreme distrust and contempt. South Carolina's first comprehensive slave code in 1690 expressed this attitude, describing slaves as "barbarous, wild, savage," and "naturally prone and inclined to Disorder, Rapines, and Inhumanity." The most important aspect of this law was the permanent placement of "All Negroes, Mollatoes [Mulattoes] and Indians" in perpetual servitude. In addition, the law placed several restrictions upon their freedom. Included in the Slave Code of 1690 was a provision that outlined the duties of "alarm men" or slave patrolmen. Under this law, each patrol company was to be composed of ten white men under the command of the captain of a militia company. Thus, under this law the job of keeping constant watch over the slaves became the duty of a special community force under the auspices of the local militia. As stated above, however, the local citizenry at large was still responsible for apprehending slaves found wandering outside their plantations without permission.

The fear that the Spanish would incite the South Carolina slaves to revolt remained constant throughout the late seventeenth and eighteenth centuries, as the threat of an overseas invasion by Spain or an attack by Spanish forces in Florida was a real possibility. More importantly, however, as long as Florida remained outside the boundaries of the United States, runaway slaves would find a safe haven with the black maroons hidden there. It was not until the Louisiana
Purchase in 1803 and the American acquisition of Florida that the Spanish threat disappeared. Slaves who lived on the coastal regions of South Carolina, however, often stowed away on foreign vessels docked in the harbors instead of fleeing to Florida. Both options proved extremely inconvenient to slaveholders who depended upon slave labor. As Dr. George Milligen-Johnston stated in 1751, "...if any stop be put to the Exportation of Rice from South Carolina to Europe, the province would suffer from debt and fall easy prey to Indians and Spaniards, and also to those yet more dangerous Enemies, their own Negroes, who are ready to revolt on the first opportunity, and are eight times as many in Number as there are white men able to bear arms."108

During the seventeenth and eighteenth centuries, white authorities frequently enacted laws to protect the colony based upon the foreign threat. The "Act for the Better Settling and Regulation the Militia, and Appointing Look-Outs" in 1703 clearly reflected this purpose. The purpose of this act was to appoint sentries who were to forewarn the colonists of an impending invasion from hostile Indians from the West and Spaniards from the South. These colonial "look-outs" were also to prevent slaves from running away either to Florida or to foreign ships docked in Charles Town harbor. The advent of the look out system in 1703 provided the foundation for a comprehensive slave patrol system. Herbert L. Osgood, in The American in the Seventeenth Century, recorded eight watch-houses along the South Carolina coast. He declared, "One duty of the armed watchmen at these posts was to look out for slaves who were
trying to escape by sea." Osgood also supported the idea proposed by John Hope Franklin that slavery and the subsequent creation of the patrols to keep this institution stable led to the development of the martial spirit in South Carolina.

The passage of the law of 1703 suggests that the frequency of runaway slaves had increased. Certainly by that year the numbers of slaves in South Carolina had increased significantly and, thus, the risk of runaways had heightened. Between 1671 and 1703, the number of slaves had increased from three to 3,250, which almost equalled the total white population of 4,580. Although these population figures provide a general picture of the ratios between blacks and whites over the years, they can only be viewed as rough estimates. Nevertheless, those who took count of the population apparently believed the numbers of slaves to be more reliable than the estimates of the white population because the slaves were taxed commodities. As Dr. Milligen-Johnston stated when deriving the colony's population in 1749, "The number of White Inhabitants in South Carolina is at present Twenty-Five Thousand; and the number of Negroes there, at least Thirty-Nine Thousand, of the latter I can be more positive, because a Tax is paid for them; and I make my Computation of the former, by the Number of men borne upon the muster rolls for the Militia, which is about Five Thousand between the Ages of Sixteen and Sixty."

Edward Randolph, upon his visit to Charles Town in 1699, wrote a letter to the British Board of Trade. Included in this letter was his estimation of the ratio between blacks
to white males in the colony as four to one. Historians Alexander S. Salley and J. Franklin Jameson argue that Randolph probably exaggerated this estimation. They estimate the population in the colony during that year at 16,000: 7,500 whites to 8,500 blacks. If Salley and Jameson had included white women and children in their approximations, the total number of blacks and whites might have been about equal.

Thus, the actual number of blacks and whites in South Carolina cannot be known, since the governors' estimates and travelers' accounts are the only data available for this period. At best, historians can only use these crude data to formulate a general picture of the number of black slaves living in South Carolina. Clearly, the comparison drawn between the numbers of blacks and whites was a by-product of these colonial estimates. Nevertheless, South Carolinian legislators perceived the population growth as a major factor in convincing the General Assembly of the expediency of creating an effective slave patrol system. Although slave patrols had been a virtually unspoken provision of the militia laws, the awareness of the increasing black population, coupled with the fear of foreign-induced slave unrest, culminated in the passage of South Carolina's first law that dealt exclusively with slave patrols on November 4, 1704. This act nullified previous laws and became the basis for all future legislation dealing with the domestic police of South Carolina until the end of slavery.

In helping to formulate the first domestic police system in South Carolina, Governor Nathaniel Johnson had not
abandoned the belief in the colony's vulnerability to attack from Havana, Cuba, and St. Augustine [Florida] by both French and Spanish forces. The law of 1704 reflected the colonists' fear of foreign-induced slave unrest. Thus, the General Assembly designed the Slave Patrol Law of 1704 to protect slaves from the influence of these forces and, thereby, reduce the possibility of insurrection.  
The act foresaw that an invasion from overseas would draw the majority of adult white males to the coast, thereby, leaving their farms, families, and slaves unattended. In the minds of many whites, the time would be ripe for the slaves to band together and revolt against the undefended women, children, and elderly. The following passage from the law illustrates the prevailing fears among South Carolinians:

On the sight or advice of an enemy it will be necessary for the safety and defense of the inhabitants of the colony to draw together to the sea coast or such other places as the General shall direct; to prevent such insurrections and mischiefs as from the great number of slaves we have reason to suspect may happen when the greater part of the inhabitants are drawn together.

The Patrol Law of 1704 formally authorized the local patrols to enforce the colony's slave code. Although the patrol provisions applied to all of South Carolina, the patrols remained distinctly local institutions, their efficiency depending usually upon the ratio of blacks to whites in the district. Basing its provisions upon the Militia Law of 1703, the patrol act authorized the enlistment of ten free white men per militia company who, like the regular militia, were to provide their own horses, pistols, swords, ammunition, and appear at all musters. If the patrolman failed to arrive
properly equipped at musters, he faced a fine of ten shillings, and if he failed to show up for muster drills, he received a fine of ten pounds, ten shillings. The law also afforded some degree of autonomy to the patrol districts. For instance, patrol companies in Colleton County held authority over their enlistees only during times of alarm and muster drills. At no other time in Colleton County were patrolmen under the direction of their commanders.  

In addition, the law of 1704 required all adult white males to ride patrol whenever their names were called. Since the patrols operated on a rotation basis, each militia member eventually received his turn to participate in patrol rounds. As the patrol system developed in South Carolina, however, many patrollers found the job a nuisance and either willingly paid the fine or hired substitutes to take their places.

Thus, until the Assembly attempted to reform the patrol law in 1737, the patrols during the early 1700s may have consisted primarily of poor slaveless whites. As later slave testimony attests, the patrols of the antebellum period were comprised of white men from the poorest sector of white society.

Such was not the case with regard to patrol officers. These men generally came from the upper ranks of South Carolina society, and received the rank of captain until they became majors or colonels. With almost every young man of position taking his turn as captain, communities in South Carolina contained a large number of men bearing the titles of captain, colonel or major. In reality, some of these officers never actually served, yet retained their titles.
Instead, they hired substitute patrol officers from other patrol companies to take over their commands and ride their beats. A visitor to the Carolinas in 1842 remarked that military titles "once enjoyed by ever so short a service are continued throughout life."

Unlike later laws, the first patrol law required patrolmen to muster and ride only during times of alarm or when rumors of an impending slave uprising were running high. Upon hearing of these alarms, the patrois were to ride from plantation to plantation and take into custody any slave they found away from his master's plantation without a written pass from his master, mistress, or overseer. The pass generally indicated the time span the master allowed his slave to remain outside the plantation. Sometimes the pass was a written order to the patrolmen to allow the slave to go unpunished while he was away from home. Often, slaves were away from the plantation either to run errands for their masters or mistresses, or to visit their spouses at neighboring plantations. By 1734, the pass became more explicit, indicating the slave's destination and his business as well as the time span he was to spend away from the plantation.

As antebellum slave testimony suggests, the requirement of a pass was not an infallible method of preventing slaves from running away or staging a revolt. Although the slave codes forbade the teaching of slaves to read and write, some slaves succeeded in fooling the patrollers, many of whom were illiterate themselves.

Each patrol district set up elaborate ad hoc courts
for those blacks who were found violating the slave laws. A justice of the peace, upon hearing of a crime committed by a slave or free black, was to send a constable to arrest the black. Another justice then summoned three to five freeholders in the district to try the accused. One justice and two freeholders or one freeholder and two justices then settled the case, usually with a conviction. Unfortunately for the slave or free black, the districts neglected to establish an appeal system. In addition, the court did not provide counsel for the defendant, the master did not have to be present at the trial, and the verdict did not have to be unanimous. 121

The punishment for blacks who violated the slave law ranged from floggings to the cutting off of ears, burning alive, and hanging. The patrols themselves were allowed to inflict floggings upon any slaves they found away from home without a legitimate pass. 122 Later in the eighteenth century, the courts or masters sent the offending slaves to workhouses in Charleston to receive their floggings. These workhouses became formally recognized institutions in 1744. 123

From a purely practical standpoint, the patrols partially shifted the burden of domestic control from the shoulders of the militia to the local slave patrol units. While the regular colonial militia units concentrated upon Indians and foreign threats, the patrols concentrated solely upon control within the colony. Curiously, the Assembly passed a law in 1704 requiring slaves to bear arms during times of attack, which directly contradicted the patrol laws. Governor Johnson and his Council, in their report to the British Board of Trade
on the Conditions of the Province as of September, 1708, stated that masters were obliged by law to enlist, train, and "bring into the field for each white, one able slave armed with a gun or lance." Blacks frequently participated in military activities on behalf of the colony. For example, blacks played a key role in the Yamasee Indian war of 1715, one of the most serious of South Carolina's Indian wars. According to Colonel George Chicken of South Carolina, the importance of Negro aid increased when it became known that the colony would not receive military aid from Virginia. After 1715, whites became wary of arming slaves and began to tighten existing restrictions. By 1737, the law forbade slaves from carrying or storing arms.

As the black population in South Carolina continued to grow, through natural increase and importation, white colonists increasingly feared the possibility of slave revolts. The period between 1711 and 1740 was especially restive, as at least five slave conspiracies were reported in South Carolina. After each incident, the General Assembly further tightened its restrictions upon the slaves. In 1712, following the slave conspiracy of 1711-12, the Assembly, in the "Act for the better Ordering of Slaves," prohibited the slaves from possessing firearms unless in the company of their masters or other white men. In an action that overturned the 1704 law requiring masters to train their slaves in military service, all militia captains were ordered to remove all slaves enlisted on the militia rolls. In his pamphlet on insurrections in South Carolina, Edwin C. Holland described several slaves as
escaping from their masters and "kept out, armed, robbing, and plundering houses and plantations, and putting the inhabitants of the province in great fear and terror." 127

In 1714, a group of slaves again unsuccessfully tried to stage a rebellion. In response, the General Assembly passed measures which strengthened the disciplinary control of slaves and even discouraged their further importation by levying higher import duties on incoming slaves. This attempt to reduce the number of imported slaves, although not a new tactic in preventing blacks from outnumbering whites, proved successful in 1714, as the number of importations fell from 419 in 1714 to 81 in 1715, and 67 in 1716. 128

The reduction in the number of imports, however, did not prevent slaves from attempting to escape or revolt. In May, 1720, a group of slaves killed a white man named Benjamin Cattle, a white woman, and a little black boy. Twenty-three of the escaped slaves were arrested and six convicted. In 1730, a group of slaves staged the first open rebellion in South Carolina in which they were "actually armed and embodied." 129 In February, 1733, a journal entry reported that "many mysterious and large-scale meetings of slaves--some running into the hundreds and several robberies" had occurred. In response, the South Carolina patrols and militia companies arrested twelve slaves. 130 This series of rebellions finally culminated in South Carolina's worst slave insurrection.

On September 9, 1739, a group of sixty to one hundred slaves, led by a slave named Jemmy, revolted against their
white master at the Stono River. Like many runaway slaves from the lower South, these slaves had attempted a massive escape to freedom in Spanish Florida. Along their march, they killed twenty-one whites. To quell the rebellion, Governor William Bull summoned the colonial militia, which within hours, completely crushed the revolt. As one observer of the incident wrote:

The militia raised, the planters with great Briskness pursued them, and when they came up, dismounting, charged them on Foot. The Negroes were soon routed, though they behaved boldly; several being killed on the Spot, many ran back to their Plantation, thinking they had not been missed; but they were taken and shot; such as were taken in the Field also were, after being examined, shot on the Spot; and this is to be said to the Honour of the Carolina Planters that, notwithstanding the Provocation they had received from so many Murders, they did not torture one Negro, but only put them to an easy Death....and in the whole Action about 40 Negroes and 20 whites were killed....

Thus, during the twenty-eight year period between 1711 and 1739, the frequency of slave unrest had been high despite the efforts on the part of colonial legislators to reduce it by passing three slave patrol laws.

In an effort to improve and amend the Patrol Law of 1704, the General Assembly passed another patrol law in 1721, basing its provisions upon the law of 1704 and the law of 1712, which legally disarmed slaves. The Patrol Law of 1721 was significant in three ways: First, it officially incorporated the patrol system into the colonial militia, and second, it dealt with the most immediate issue at hand—the arming of slaves.

The most significant aspect of the Patrol Law of 1721 was its structural change. Under this law, the slave
patrol system was officially incorporated into the colony's military organization and received its regulations and maintenance, for the first time, from the colonial government.\textsuperscript{132} The law required each county to appoint several patrols, which were to consist of local foot companies. Each foot company or company of dragoons was then to appoint commanders and to coordinate patrol "beats" in the local areas.\textsuperscript{133} Clearly, the slave patrols were becoming more bureaucratized by 1721. Certainly, the patrol law helped to shape the military character of the patrol system which would continue virtually unchanged throughout the seventeenth century.

Apparently, negligence in performing patrol duties was common. The preamble of the law of 1721 reveals dissatisfaction among the colony's leaders with the execution of the previous law, particularly to the frequent evasion of patrol service:

Whereas the several patrols in this province generally consist of the choicest and best men, who screen themselves from doing such service in alarms as are required and ought to be done by men of their ability which creates great murmerings and disturbances in the militia in this Province.\textsuperscript{134}

Until the passage of the Patrol Law of 1737, however, the demands upon the patrolmen's functions did not undergo any significant changes.

In the law of 1721, the legislature, for the first time, dealt with the arming of slaves. By this time, the total black population had grown to about 12,000, while the white population had risen only to about 9,000.\textsuperscript{135} Under the law, the Assembly gave the patrollers more latitude in
enforcing the slave code and required patrolmen to travel from plantation to plantation and enter any of them to search all Negro houses for arms and "other potentially dangerous weapons." In addition, patrollers were to quell Negro gatherings and to disperse groups of Negroes, "whether they are drumming or playing." With the passage of this law, it became clear that the long-standing provision, requiring slaves to possess written passes if away from their plantations, had become a permanent part of the South Carolina patrol law and slave code.

Changes in the slave patrol laws resulted in severe punishment for slaves who broke the slave codes. It was not until the 1740s that white leaders and slaveowners began to change their approach to controlling slaves by enacting several provisions to protect their slaves from undue harshness by patrolmen. As ex-slave testimony has indicated, planters by the antebellum period sometimes forbade the patrols from entering their plantations. Under the law of 1721, the punishment for leaving the plantation without a written pass was a whipping. After the whipping, the patrolmen sent the slave home to his master.

Apparently, the Patrol Law of 1721 did not completely satisfy many white slaveholders when actually put into practice. In February, 1734, the Assembly passed another patrol law, presumably to ameliorate the law of 1721. The preamble to this act reveals the degree of dissatisfaction among white leaders concerning the state of the patrol system:

Whereas the former acts of the assembly passed in
the province for regulating patrols have not answered the intention thereof and it being highly necessary to the well-being of the province that the several patrols should be rendered as useful as possible in the keeping of all slaves in due order...."138

The Patrol Law of 1734 further defined the duties of the patrols and reduced the amount of territory each patrol unit was to cover. Each patrol district was to create beat companies composed of five men drawn from the regular militia companies. Each patroller was to receive a salary of £25 per annum, and the captain, £50 and exemption from all other military services.139 Unlike the previous laws, this patrol law specified how frequently the patrol companies were to visit each plantation in their districts. The law of 1734 also required each patrol company to ride from plantation to plantation within a circumscribed area at least once a month. A separate section of the law required two patrol companies of eight men to make alternate ridings on Saturday nights and all day on Sundays and holidays. The law also authorized patrollers to inflict a maximum of twenty lashes upon the slaves found outside the plantation without a pass, to confiscate any "fowles or provisions" found in their groups, to search the homes of slaves and confiscate any firearms they found within the home, and to enter any "tippling" houses or saloons where one of the patrolmen saw a slave enter.140

The Patrol Law of 1734 became the foundation upon which subsequent patrol laws were passed in South Carolina. This particular law is significant in the history and development of the slave patrol system in South Carolina because it
not only further specified the duties of the patrolmen, but, more importantly, marked the turning point in the entire character of the slave patrols. As evidenced from the laws of 1721 and 1734, the slave patrols were gradually being transformed into local institutions, confined to a relatively small area and manned by smaller groups of men. Between 1690 and 1734, the numbers of men in each patrol company were reduced from ten to five, which represented a division of patrol companies and their beats into smaller units. 141 Although the slave patrols became increasingly localized organizations, they had also become a permanent subdivision of a larger institution, the colonial militia system.

In February, 1737, the Assembly renewed and modified the law of 1734. By this time, the slave population in the entire colony had risen from 22,000 in 1734 to 40,000 in 1737. 142 While the patrol system was developing into a permanent local institution, significant changes were also taking place in the theory behind patrol service and the social makeup of the patrols. The most important change since 1737 was that patrol service was to be voluntary instead of a compulsory part of militia duty. This basic modification in patrol service requirements, however, did not necessarily mean patrols had become less important to the community. Rather, the Assembly apparently expected community pressure to induce white men to volunteer for service. This provision also allowed for the legal exemption of certain members of the community, such as ministers. Later, public officials and other community members involved in public service received
In addition, for the first time in the history of the slave patrols, patrolmen would receive no compensation for their services. This action by the South Carolina legislature reveals a new perspective on the subject of domestic protection. White leaders had viewed slave patrol duty as one's civic duty as a member of the community.

More importantly, however, this change in patrol service was just one facet of the Assembly's overall effort to upgrade the social status of the slave patrols as a whole. The elimination of compensation for patrolmen was an attempt to eliminate irresponsible patrollers who might volunteer for patrol duty solely for the money. In addition, the law placed property qualifications upon prospective patrolmen, requiring patrol captains to enlist only those men who were freeholders and owned at least fifty acres of land or paid a minimum of forty shillings in annual taxes. Presumably, the intention of the lawmakers was to recruit only those whites who had a vested interest in slavery, since these landowners were the persons most likely to own slaves.143

Another important aspect of the law was the increased autonomy of the patrols. According to the law, the patrolmen in each company had the authority to select their own captain and to alter their duties to fit the needs of the community. For example, the patrols often established the frequency of their visits to plantations at once a week in order to cover the entire beat and, at the same time, visit each plantation at least once a month. This law also provided for emergencies, granting any officer of the patrols the power to enlist any
number of men upon the news of a possible conspiracy or an unlawful meeting of blacks.144

Through the Patrol Law of 1737, the Assembly attempted to upgrade the social composition of the patrols. The Assembly also was able to reduce its expenditures by eliminating compensation for patrolmen. Whether the patrol companies actually changed their social makeup is, of course, open to speculation, since the practice of hiring substitutes had not been abolished. The specific duties of the patrols had changed little between 1704 and 1737, since the intent of the laws remained the same. The discretion of patrolmen, however, increased by 1737. Patrolmen by this time had the authority to keep any weapons they found in the slave quarters, capture any runaway slaves, and beat, maim, or kill any slave who threatened to attack a patrolman with weapons.145

Despite the changes made in the slave patrol system, between 1721 and 1737, it appears that many white citizens still considered the patrol system inadequate for maintaining full control over the slave population. Clearly, the threat of foreign-induced slave revolts still loomed very real to white South Carolinians, particularly since Spain and England were approaching war. One year after the passage of the Slave Patrol Act of 1737, the Spanish governor in Florida issued a royal edict which promised freedom to all English slaves who escaped to St. Augustine. This action was an attempt by Spain to stave off English aggression on the southern frontier by exploiting already existing fears associated with the slaves.146
The rebellion at Stono in 1739, perhaps the direct result of the Spanish edict, undoubtedly contributed to the feeling among the legislators that the patrols had not been completely successful in preventing slave unrest. The Stono Rebellion marked a major turning point in the evolution of the South Carolina slave patrol system. The slave patrol laws passed between 1704 and 1737 represented a period of trial and error in the development of the domestic police system. Clearly, during this early period in the history of South Carolina slavery, the prevailing attitude of the white population was marked by fear and distrust. The laws reflected this attitude regarding the control of the colony's slaves. In these laws, severity and harshness were the primary methods of punishing disobedient slaves. The continuing occurrences of plots and actual uprisings had convinced many whites that less severe forms of punishment and increased kindness by the master would reduce dissatisfaction among the slaves and, thereby, reduce the possibility of a revolt. Between 1740 and 1775, the slave patrols became subject to restrictions regarding the severity of punishments, at least on paper. During this period, instances of slave unrest in South Carolina were markedly reduced. Perhaps a reduction in the severity of punishments contributed to the decrease in instances of conspiracy and rebellion during the remainder of the colonial period.
CHAPTER FOUR
THE PATROL SYSTEM MATURES
(1740-1781)

By the 1750s, the slave patrol system in South Carolina had matured into an efficient organization. Disheartened and frightened by the series of slave plots and rebellions that had erupted between 1711 and 1739, particularly at Stono, leading slaveholders pushed for the passage of stricter slave laws. Through the passage of a new slave code and a renewed slave patrol law in 1740, the white slaveholding community solidified its control over the slave population. At the same time, slaveowners as a whole had developed new attitudes toward the treatment of their slaves.

Winthrop Jordan maintained that the religious revival of the 1730s and 1740s had brought opposition to slavery and questions concerning its morality. Although slaveowners refused to end slavery, the fervor of the Great Awakening did bring a new sensitivity to the institution and its effect on the slaves. This attitude lasted throughout the rest of the colonial period. In particular, slaveowners became increasingly concerned with their own responsibility toward the spiritual and physical welfare of their slaves. The Slave Code of 1740 reflected this new attitude and included some provisions protecting slaves from undue punishment in addition to restricting their activities.
The Slave Code of 1740 formed the basis for all future slave laws in South Carolina and apparently was so effective that it served as a model for the Georgia slave code of 1755. In one important provision, the Assembly renewed the restriction which forbade citizens of South Carolina from teaching slaves to read and write. The Assembly probably included this renewed restriction in an effort to reduce instances of forged passes and thereby cut down on attempts by slaves to leave the plantation illegally. In addition, the law forbade more than seven black men to travel on the high roads unless accompanied by a white person. Presumably, this also included the small numbers of free blacks who resided in South Carolina. A third important provision forbade slaves from residing on plantations where there were no whites. In fact, the law specifically required at least one white person to live on a plantation for every twenty-five slaves, or the owner of the plantation would be fined twenty shillings. This particular provision reflected several developments in the American slave system. First, the law discouraged absentee landlordism on individual plantations, a practice that had become common among wealthy planters who owned more than one holding. Second, the law encouraged the use of the white overseer in operating the plantation and supervising the slaves on a daily basis. Third, the provision reflected the white community's fear of an over-abundance of blacks on plantations. Other provisions of the law forbade the sale of liquor to slaves without the masters' approval, and required the clothing of slaves to consist of
coarse material unless the slaves were in livery. In an effort to ease the plight of slaves, the law also required planters to reduce the slaves' workday to fourteen hours in the winter and fifteen hours in the summer. The object of the slave code was, of course, to keep the slaves "in due subjugation and obedience."  

The Slave Patrol Act of 1740 that accompanied the new slave code was designed as a means of enforcing the code. The time had come to renew the Patrol Law of 1737 and to modify its provisions to meet the needs of the new slave code. Evidently, the General Assembly was anxious to improve the provisions of the patrol law in the wake of complaints by planters of the inefficiency of the patrol system. By 1740, the major complaint centered around the mediocre performance of its personnel. Section Ten of the Patrol Act of 1740 expresses this displeasure:

> Many irregularities have been committed by former patrols arising chiefly from their drinking too much liquor before or during the time of their riding on duty.  

As Howell M. Henry suggests in his book *The Police Control of the Slave in South Carolina*, disorderly patrollers may have carried their duties too far at times, and whipped slaves who possessed legitimate passes, whipped them too much, or entered their homes without due cause. Any white person, including a patrolman, who was found guilty of murdering a slave received a maximum fine of £700. If a white person murdered the slave in the heat of anger or merely inflicted harm upon the slave, however, he received a fine of £10.
The maximum penalty of 100 for cruelty to a slave, included mutilation not endangering life, was also included in the slave law.151

The treatment of slaves varied from district to district and from person to person. For instance, in the Kershaw district, no white person was ever indicted for cruelty to slaves. In this instance, either most whites treated slaves kindly, or the courts always found an accused person innocent. In Marlborough district, however, slaves evidently received some protection. Nine suits were brought against white persons for cruelty to slaves.152 The Slave Code of 1740, therefore, in addition to strengthening existing restrictions, attempted to protect slaves from unlawful abuse.

The Patrol Law of 1740 attempted to control the activities of the patrolmen, in addition to improving the provisions of the previous patrol laws. It appears that because of the events at Stono, the previous year patrol duty had ceased to be voluntary. The law required all eligible patrolmen to participate in muster drills once a month. At each muster, the captain selected a maximum of seven patrollers for duty, who were to ride a maximum beat of fifteen miles. The law also required each regiment to exercise twice a year. In the event of an insurrection, the militia officers were empowered to use all arms, ammunition and vessels at their own discretion. In addition, the captain of each militia company had to keep a list of all persons eligible for duty on the slave patrols, which included all white males in the colony beginning at age 18. For the first time, the law
even required women slaveowners to furnish male substitutes to ride their beats. The law also allowed regular patrolmen to hire substitutes between the ages of 16 and 60 years old, and exempted slaveowners from patrol duty if the ages of their slaves did not exceed 16.153

The Patrol Act of 1740 was also more pragmatic than previous laws. For the first time, the patrol law took into account the ratios of blacks to whites in each county or district. Under the law, the above patrol requirements applied only to areas in which blacks clearly outnumbered whites. By 1740, it had become evident that the bulk of the slave population was concentrated in the southernmost region of the colony, where rice and indigo plantations had begun to flourish. In 1740, the total black population had reached approximately 40,000 while the white population had grown to only about 15,000.154

Apparently, the slave patrols under the law of 1740 worked well in preventing slave unrest, as no more major slave insurrections occurred during the colonial period. The Patrol Law of 1740 remained essentially unchanged until 1819, despite requests by Governors John Drayton and Paul Hamilton for a general revision of the law. The General Assembly did, however, modify and amend the existing law during this period.

The Assembly reinforced the Patrol Law of 1740 in June, 1746. This particular statute, although it virtually repeated the provision of 1740, was designed to improve the patrols and better enable them to guard the areas with heavy
slave populations. The preamble of the act clearly reveals that the threat of insurrection was still probably very much in the minds of the legislators:

Whereas, it hath been found absolutely necessary for the security of his Majesty's subjects in this Province, that patrols should be established under proper regulations in the settled parts thereof, for the better keeping of negroes and other slaves in order, and the prevention of any cabals, insurrections or other irregularities amongst them..."  

The Slave Patrol Act of 1746, for the first time, designated specific areas of the colony which each patrol company was to include in its beat. Under the law of 1746, the province of South Carolina was divided into specific patrol districts to further ensure the availability of the patrol companies as well as to restrict each company to operating within defined boundaries. In townships where the numbers of whites far outnumbered blacks, however, the citizens were not required to establish a patrol system. The law also required company leaders to maintain a close watch over their members and to ensure regular participation in patrol rounds. In one important change in the patrol policy, the law required more frequent rotations among patrol members. According to earlier laws, names of patrolmen were rotated to ensure the service of each member. Since patrol ridings had occurred only during times of alarm or actual insurrection, however, some patrolmen waited a long time before their names were called. As a result, some patrolmen never served at all. The Patrol Law of 1746 revoked this provision and required patrols to make their rounds every night. Moreover, patrol captains called upon the names of both men and women
each night from the list of plantation owners, although only white men actually performed patrol duty. Those who failed to perform the assigned duty would pay thirty shillings as a penalty. 156

The specific duties of the slave patrols as of 1746, had not changed much over the past forty years. The primary duty of the patrols was, of course, to seize any black they found outside their masters' plantation without a ticket or "acceptable reason for his absence," or without being in the company of a white person. The punishment for this crime was a maximum of twenty lashes with a switch or cowhide. Patrolmen, however, could not "beat or abuse" a slave who was within the boundaries of his master's plantation or who was outside the plantation with a legitimate pass. The penalty for this abuse was a fine of forty shillings to be paid to the owner of the slave. 157

The patrols still had the power to enter all houses inhabited by blacks in search of stolen goods, "offensive weapons" and ammunition. In addition, patrolmen were permitted to enter all houses belonging to whites or free blacks or slaves when the patrolmen suspected the inhabitants of "harboring, trafficking, or dealing with Negroes." Presumably, this law referred to the harboring of runaway slaves. If the patrolmen found any slaves in these homes, they were authorized to whip the runaways after apprehending them. Before a patrolman could search a home, he first had to report his suspicion to the magistrate and take an appropriate oath before being allowed to enter the house. 158 The Patrol
Law of 1746 was formally renewed on March 12, 1783 to revive and amend several acts that were soon to expire.

Although the Patrol Act of 1746 continued unchanged until 1783, the General Assembly did pass a separate patrol law in 1747, designed to ensure the protection of the colony from slave revolts in the event a foreign invasion occurred. This act, which revived the provisions of the Militia Law of 1703, also revived old fears of foreign-induced slave insurrections. The first line of the new law expressed the white community's concern: "And whereas in time of invasion, if the militia of the whole Province were to be assembled, great dangers might arise from the insurrection or other wicked attempts of slaves; for the prevention thereof...."  

The law provided that during an invasion one-fourth of each militia company in the province would remain in their respective divisions and parishes and form patrols as supplements to the regular slave patrol companies. These patrols were to be on constant duty within the province, while the regular militia was on the coast or borders fighting the incoming enemy. The duties of these emergency patrols were the same as those of the regular slave patrols in the colony. The Assembly renewed this emergency law in March, 1778, and again in February, 1782.

In contrast to the period between 1711 and 1740, the slaves in South Carolina remained relatively placid between 1740 and the outbreak of the American Revolution. Johann Martin Bolzius, a visitor in South Carolina in 1751, believed the slave patrols were efficient. He commented, "...there are
good precautions in Carolina against running away
and rebellion...the land is constantly patrolled, and also
on Sundays one goes to Church with swords, guns, and pistols,
etc. The agitators of rebellion are punished in a very harsh
and inhuman way, for example, slowly roasted at the fire. "160
Occasionally, however, the patrols became lax and careless,
and neglected the Negro laws. Instances of runaways and
rumors of possible slave plots alerted the white community
once again to the need for strict enforcement of the patrol
laws. In 1765, for example, fifteen years since a serious
insurrection had occurred, a group of slaves ran away from
their masters. This event created a general fear of insurrec-
tion and, as a result, reawakened the slave patrols. 161

The significant rise in the numbers of whites in
South Carolina may have contributed to the relative calm
in the white community during this period. Due mainly to
the discouragement of slave importations into the colony,
the black population had stabilized by 1750; the total number
of blacks in the colony had remained at about 40,000 since
1740, while the white population grew from 15,000 to 25,000. 162
This growth in the number of whites in South Carolina can
be attributed to the government’s effort to encourage migra-
tion and settlement of the western regions of the colony.
This increase represented the biggest jump in the recorded
number of whites in South Carolina during the colonial period.

The outbreak of the war with Great Britain disrupted
the relative peace in the colony. Little information exists
concerning the overall effectiveness of the slave patrols
during the American Revolution, although South Carolinians, like other Southern colonists, kept a close watch over their slaves. During the war, the colonists feared the British presence would encourage the slaves to run away, join the British forces or to stage violent insurrections against their masters. The British government, aware of the colonists' apprehensions, frequently encouraged the slaves to leave their masters to find a better way of life with the British. Slaves often served as scouts and informants for the British army. All rumors of slave plots and revolts were taken seriously and investigated, although no slave insurrections actually occurred during the war. Arthur Lee, agent for the Continental Congress in London, told American authorities that a "plan was already laid before the Crown" for inciting the slaves to revolt. In June, 1775, the South Carolina Council of Safety issued warnings of "insurrections by our Negroes." The next month, Henry Laurens warned Thomas Fletchall of Camden that the British planned to invade the colony and encourage the slaves to revolt. In another illustration of this fear of slave unrest, Jerry, a wealthy free black boat pilot who owned slaves was accused, tried, and convicted of selling arms to slaves and encouraging them to flee to the British. Jerry was executed for this alleged crime. In 1776, the Council of Safety ordered the arrest of "Negro Tom" for attempting to influence other slaves to desert to the British.

Although no serious insurrections occurred during the Revolutionary period, many slaves looked upon the invading
British army and navy as liberators and successfully escaped from their masters to join the British, both during and after the war. Thomas Pinckney wrote in his letter to his mother on May 17, 1779 that the British raided his plantation and took with them some of the Pinckney slaves. Pinckney wrote:

A North Carolina soldier was five days sick at my house at Ashepoo, and was there when the enemy came. He reports that they took with them 19 Negroes, among whom were Betty, Prince, Chance, and all the hardy boys....I hope he will be able to keep the remaining property in some order, though the Negroes pay no attention to his orders. 165

A 1796 account of the war in South Carolina estimated that at least 30,000 slaves were either killed or escaped from their owners. This number included between 600 and 700 slaves whom the British carried away when they evacuated South Carolina after the war. 166

South Carolina reacted to these problems early in the war. In 1775, the Assembly set up a special commission, consisting of William Henry Drayton and ten others, whose duty was to "form such plans, they should think immediately necessary for the security of the colony." 167 The problems concerning runaways, possible insurrections, and indirect service to the British became so common in South Carolina that, in 1779, the Continental Congress reported that the colony's militia force could not effectively muster their forces against the British because the bulk of the militia was needed to guard the plantations and towns against slave insurrections and escapes. 168 General Robert Howe had suggested to the president of Congress in February, 1777, that South Carolina should permanently station seven to eight
thousand regular troops to control the "numerous black domestics who would undoubtedly flock to the Banner of the enemy whenever an opportunity arrived." It is not surprising, then, that South Carolina rejected Congress' proposal in 1778 to arm 3,000 slaves against the British.

In March, 1778, the Assembly passed its first patrol act of the Revolutionary period. The Patrol Law of 1778 designated six men to each patrol unit. The members of the patrols were to ride in the areas in which they lived and, particularly, to guard the plantations. Specifically, they were to "keep the slaves in such districts in peace and good order, and shall place proper guards, watches and centinels, at fit and convenient places, to give notice of danger...." The fine for neglecting to form patrols was £100 placed upon the local militia company. Those individuals who either refused or neglected to ride patrol also received a fine of £200. In addition to regulating the number of men in each patrol unit, this act also revealed the desire among white legislators to establish guard posts throughout the community. This provision closely resembled the earlier establishment of "watches" and "lock-outs."

During the Revolutionary period, it appears that some whites believed harsh treatment was a necessity in maintaining control over the slaves. Ebenezer Hazard, a visiting surveyor to South Carolina in 1778, explained in his journal the reasoning behind the severe treatment of slaves during the Revolution. In his entry for March 4, 1778, Hazard wrote:
The reason assigned for the severity with which Negroes are treated is that it is necessary in order to break their spirit, and thereby prevent insurrection, which, from the number of Negroes would be attended with fatal consequences. That man can enjoy but little happiness who is under the continued apprehension from his slaves, and the policy of that state which allows of such number of them as to be formidable, must be bad indeed. 170

Between 1740 and 1781, the South Carolina Assembly passed four major slave patrol laws. Besides the law of 1740, the most distinctive patrol law was the emergency act of 1747, which provided internal protection for South Carolina in the event of an invasion. For the most part, however, the laws of this period merely reinforced the Patrol Law of 1740. Until the outbreak of the American Revolution, the period between 1740 and 1775 appeared relatively quiet in South Carolina. The upheaval caused by the presence of the British in the colony, however, prompted South Carolinians to keep a tighter watch over their slaves.

After the war ended, the citizens of South Carolina continued to reinforce the slave patrol laws. In general, the patrols acted most efficiently after an insurrection or rumor of a slave plot, or during wartime, when anxieties were heightened. The next of South Carolina's major upheavals occurred in 1793 when the violent slave revolt in Santo Domingo frightened the South Carolina legislature into tightening its patrol laws. Until then, the General Assembly enacted only negligible improvements in the patrol laws.
CHAPTER FIVE

THE END OF AN ERA

[1782-1810]

South Carolina lawmakers continued to improve the efficiency of the slave patrol system after the war with Great Britain ended in 1783. Until the 1790s, the adjustments they made in the patrol laws were relatively minor, keeping the basic provisions of the law intact. In February, 1782, the Assembly passed a patrol law that merely renewed the provisions of earlier laws and changed the system of fines from British pounds to American dollars. If a district failed to establish a patrol, for instance, it received a fine of eight dollars instead of 100 pounds as previously imposed. In addition, individual patrolmen received a two dollar fine for refusing or neglecting to ride patrol.171 The Assembly renewed this law in 1784 and did not pass another major slave patrol law until December, 1800.172

For a decade after the war ended, South Carolina experienced few instances of slave unrest. The 1790s, however, marked a period of violence and intense fears of a major slave rebellion in the state. Second only to the American Revolution, the most traumatic upheaval to affect the minds of Southern slaveholders was the great slave revolt in Santo Domingo in 1793. This particular rebellion, although it occurred outside the boundaries of the United States,
deeply affected South Carolinians. Their fears heightened even further when the white refugees, who had fled from the island to Charleston, began spreading stories about the bloody atrocities the revolting slaves had committed against the white population.\textsuperscript{173} The growing fear of a similar rebellion in South Carolina led many whites to blame an insurrection in Norfolk, Virginia on the revolt in Santo Domingo.\textsuperscript{174}

South Caroliniens had grown more wary of the imbalance between the black and white population in their own state, fearing South Carolina had become like Santo Domingo and was a hotbed of rebellion. In 1790, 108,895 blacks lived in South Carolina, while 140,178 whites lived in the state.\textsuperscript{175} In 1793, pamphlets which revealed the events in Santo Domingo circulated throughout the state. A resident of Charleston expressed the fear of a possible insurrection in a local newspaper in 1793, noting, especially, the neglect of slave patrol duty by the wealthy citizens of South Carolina. According to this citizen, the duty of protecting the white community from slave unrest was left to "'overseers and the poor.'"\textsuperscript{176}

In October, 1793, word of an impending slave insurrection in South Carolina reached Governor William Moultrie from a black informer. The informer frantically advised the governor to "give the most particular orders to your Patrols in every part of the State; keep up the military duty till after the 10th of January next at least, don't [sic] be lulled by the seeming humility of those around you."\textsuperscript{177} Apparently,
this black citizen was content with his own status and did not wish to see his fellow blacks hurt by creating an upheaval. He continued, "For Gods sake Sir show this to nobody, but make use of its contents as coming from one, who is contented with his Situation, and has no other view in this, then saving the blood of his fellow creatures as I know that will be all that can be got from this bad advice that has been given to a Black."178

In response to the apparent threat of a major slave insurrection in South Carolina, Governor Moultrie, in October, 1793, ordered all free blacks and other free non-whites to leave the state within ten days. Word of South Carolina's troubles soon reached the ears of citizens of other states. For instance, The New York Journal and Patriotic Register printed an article from South Carolina on October 16, 1793 stating, "They write from Charleston (S.C.) that the NEGROES have become very insolent, in so much that the citizens are alarmed, and the militia kept on constant guard. It is said that St. Domingo Negroes have sown these seeds of revolt, and that a magazine has been attempted to be broken open."179

Coupled with the rumors of impending slave plots and insurrections was the fear among slaveholders of the ideas of a democratic and free society brought about by the French Revolution. With the revolution came renewed ideas of natural and universal human rights, including liberty, equality, and self-government, ideas that had remained dormant after the American Revolution. Despite calls by antiblack advocates
during the 1770s to end slavery, the South had clung to slavery, leaving the institution intact after the war. When these ideas were rekindled in the 1790s, Southerners sought to strengthen and maintain their hold over slavery. By this time, they felt an obligation to white society in the South to protect their institution. Thus, as the rest of the nation began to denounce slavery, the South clung more rigidly to the institution and rejected the now commonly-held belief in freedom as a natural right of man.\textsuperscript{180}

The desire to retain slavery was the strongest in the states of the deep South, particularly in South Carolina. In the cities as well as in the countryside, slave patrols continued to work at keeping the slaves "at peace and in good order." In addition, the militia and patrols were authorized to enforce South Carolina's new law of 1794, barring free blacks from the West Indies from entering the state. According to the law, the militia was to seize any free black who attempted to enter the state.\textsuperscript{181}

The slave patrols apparently worked efficiently in preventing slave unrest during this period as well. South Carolina lawmakers did not see fit to revise the slave patrol system until Governor John Drayton suggested in 1800 that the patrol law be updated. On December 20, 1800, the Assembly passed an act "respecting slaves, free Negroes, Mulattoes, and Mestizoes; for enforcing the punctual performance of Patrol duty; and to impose certain restrictions on the emancipation of slaves."\textsuperscript{182} This new patrol law, although retaining the fundamental duties and responsibilities, reveals
a new emphasis upon restricting the freedom of all people of color in South Carolina, whether slave or free. In addition, this act restricted slaveowners from emancipating their slaves at their own discretion. Now slaves were forbidden to gather together even in the presence of a white person.\textsuperscript{183} In 1800, white citizens of South Carolina still feared the possibility of slave plots and insurrections, particularly in the wake of the Santo Domingo uprising just seven years before.

The local patrols and militia companies remained alert to all rumors of slave cabals. One such incident occurred in 1802 in Georgetown, where slaves constituted almost ninety percent of the population between 1800 and 1810. In communities such as Georgetown, where racial attitudes between blacks and whites remained unstable, each rumor led to complete community mobilization that lasted until the citizens were assured that no plot existed or had put down the uprising to their satisfaction. In September, 1802, Governor Drayton received a warning from New York City that the French planned to land blacks in New York. Drayton reacted to the warning by organizing a coastal patrol and ordered militia leaders to prepare a network of lookouts along the coast of South Carolina.\textsuperscript{184}

In Georgetown, a rumor began to spread that the French would also land blacks on the All Saints Parish coast. Ensign Peter Nicholson, a commander of the slave patrol in Georgetown, originated the rumor. Nicholson apparently had found a “black French Creole” near his house
who could not give an acceptable account of his absence from his master's plantation. Nicholson informed his superior, Captain Joshua Ward, of the incident, implying that more blacks were undoubtedly in the vicinity. A subsequent investigation mistakenly resulted in a confirmation of the rumor and the transformation of the alarm into a written statement that "those people of colour are now landing at the Long Bay." For the military leaders to conclude this is not surprising as their culture had conditioned them to be distrustful of the activities of the slaves and to expect the worst. 185

Brigadier General Peter Horry, commander of the Sixth Brigade of the state militia and war hero of the American Revolution, not only sent militia battalions and companies of infantry to guard the coast and parishes but also ordered the slave patrollers or "alarm men" to suppress "'any riot or disturbance of any kind'" to ensure the safety of the city of Georgetown. By October 11, however, General Horry discovered the alarm had been false. Eventually the excitement died down and the militia and patrols were recalled. The incident at Georgetown was an example of the apprehensions whites felt toward blacks in South Carolina since the rebellion in Santo Domingo.

In one of the few slave testimonies of slavery in the early nineteenth century, Charles Ball, a runaway who came to Columbia, South Carolina in 1807, told his story about the patrols. In his journal, Ball described the slave patrols in Columbia:
The patrols are very rigid in the execution of authority, with which they are invested... From dark until ten or eleven o'clock at night, the patrols are watchful, and always traversing the country in quest of negroes, but towards midnight these gentlemen grow cold, or sleepy or weary, and generally betake themselves to some houses, where they can procure a comfortable fire.

As nearly as possible, I confined my travelling within the hours of midnight and three o'clock in the morning. Parties of patrollers were heard by me almost every morning, before day... but I knew by former experiences that they never lay out all night, except in times of apprehended danger.186

Indeed, the eighteenth century in South Carolina marked a period of growth and development of the slave patrol system. By the turn of the nineteenth century, slave patrols had become cemented into the framework of black-white relations in South Carolina as well as into the state's military system. Certainly, by the dawn of the antebellum period, whites had become increasingly wary of their black population and took every precaution to maintain firm control over the slaves and prevent major slave uprisings. Until the end of slavery, South Carolinians continued this process of strengthening their hold over the "peculiar institution" and using local patrols to guard the town and plantations. Until the end of slavery, the lawmakers of South Carolina continued to update and revise the slave patrol law to fit the growing and changing needs of the community. The slave patrol system, like slavery itself, was a human institution, built by men and enforced by men. Thus, especially during times of relative quiet, the patrolmen often neglected their duties. Predictably, the patrols quickly resumed their duties during times when rumors of revolt or actual uprisings took place in the state.
The slave patrols, on the whole, responded efficiently during periods of crisis. The patrols were particularly efficient in areas where the black population almost equalled or even surpassed the total white population. As the population of South Carolina became firmly established, the majority of slaves were concentrated in the southeastern portion of the state, where most of the rice and indigo plantations were located. In this respect, the patrols remained distinctly local institutions. Nevertheless, as later slave testimony had indicated, the slave patrol system had become firmly cemented into the social fabric of South Carolina communities.
CONCLUSION

Concurrent with the institution of slavery in the American South was the institution of control over the enslaved. Clearly, the roots of the patrol system are found in South Carolina during the early colonial period. South Carolina initiated the system of community-based mounted patrols in 1690 and passed its first separate slave patrol law in 1704. The period between 1704 and 1810 was perhaps the most critical in the evolution of the patrols and of the laws that governed them. This was a time of trial-and-error for South Carolina legislators in their effort to develop an efficient slave patrol system. The legislators passed numerous patrol laws in an effort to improve the system. After 1704, South Carolina passed slave patrol laws in 1721, 1734, 1737, 1740, 1746, 1778, and 1794. South Carolina became the model for other slaveholding states seeking to establish similar systems of police control. By the eve of the antebellum period, the slave patrol system was the primary means of maintaining constant surveillance over blacks everywhere in the South. The policy of control also extended to free blacks, as whites viewed them as potential instigators of slave unrest.

Planters frequently expressed dissatisfaction with the slave patrol system. While some complained that the patrols were too lax, others charged patrollers with being
too harsh. Instead of abandoning the patrol system and opting for some other means of control, slaveholders continually pushed for improvements in the system. As a result, legislators passed several revisions in the patrol laws in an effort to make the system more efficient. Despite continuing complaints, the patrols remained the predominant means of policing the activities of slaves and free blacks until the end of slavery.

The slave patrol system played an important role in the everyday lives of both blacks and whites. From its inception, the patrol system was a community-based institution, rather than a professional military force. Consequently, the patrols consisted of civilians, rather than professional soldiers. In addition, the operation of the patrols varied according to the needs of the individual communities in the South. The object of the patrol system, however, was the same in all communities: to curtail the movement of blacks, slave and free, in order to prevent mass escapes and insurrections. Thus, the task of controlling the black population largely depended upon the willingness of the white communities to participate in the patrols. After the Civil War, whites retained the system of control over blacks through the continued use of patrols and new vigilant organizations such as the Ku Klux Klan.

The patrol system was also an integral part of the slave community, as evidenced by the detailed recollections of the "patterrollers" in ex-slave testimony given during the nineteenth and twentieth centuries. As demonstrated in these
accounts, the attitudes of slaves toward the patrollers was a mixture of humor, contempt, and fear. Predictably, the slaves feared the patroller's whip. At the same time, they developed a clear sense of class consciousness, despising the patrollers not only because they were a source of punishment, but also because the patrolmen generally were "poor white trash." The slaves undoubtedly felt restricted by the presence of the patrols. Nevertheless, slaves continued to hold secret meetings and attended dances and parties without written permission. In addition, slaves often devised methods of combatting the patrols.

The slave patrol system, therefore, was an important institution in the Southern slaveholding community as a whole. For whites, the patrols were the most visible means of controlling blacks. For blacks, the patrols were a nuisance and a means of further restricting their already limited freedoms.
ENDNOTES


3Hall, *Social Control*, p. 75.


5Palmer, *Slaves of the White God*, p. 121.


23. Ibid.


27. Ibid.


32. Ibid., p. 271.

33. Ibid., p. 288.


42. Ibid., p. 527.

43. Ibid., vol. 2, p. 313.

44. Ibid., vol. 3, p. 546.


52 Sydnor, *Slavery in Mississippi*, p. 80.

53 Ibid.


55 Yetman, *Voices From Slavery*, p. 93.


57 Ibid.

58 Fry, *Night Riders*, p. 103.


60 Fry, *Night Riders*, pp. 93-94.

61 Yetman, *Voices From Slavery*, p. 56.

62 Fry, *Night Riders*, p. 94

63 Ibid.


65 Yetman, *Voices From Slavery*, p. 258.

66 Ibid., 316-17.

67 Ibid., p. 34.
68 Ibid., pp. 222-223.


71 Ibid., p. 714.

72 Ibid., p. 432.

73 Fry, *Night Riders*, p. 95.

74 Yetman, *Voices From Slavery*, p. 37.

75 Ibid., p. 229.

76 Ibid., p. 92.

77 Fry, *Night Riders*, p. 94.


80 Yetman, *Voices from Slavery*, p. 258.

81 Blassingame, *Slave Testimony*, p. 656.

82 Yetman, *Voices From Slavery*, p. 93.

83 Fry, *Night Riders*, p. 87.

84 Yetman, *Voices From Slavery*, p. 93.


87 Fry, *Night Riders*, p. 87.

88 Ibid., p. 88.
89 Ibid., p. 98.

90 Yetman, Voices From Slavery, p. 16.

91 Fry, Night Riders, pp. 98-99.


94 Fry, Night Riders, p. 147.

95 KKK Report, Georgia, p. 877, quoted in Fry, Night Riders, p. 148.

96 Ibid., p. 151.

97 Ibid., pp. 155-56.

98 Yetman, Voices From Slavery, pp. 303-304.


100 Ibid., p. 156

101 Botkin, pp. 116-17.

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126Ibid.


134Ibid.


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138Ibid., p. 390.

139Henry, *The Police Control of the Slave in South Carolina*, p. 32.
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178 Ibid.

179 Aptheker, American Negro Slave Revolts, pp. 96-97.

180 Lofton, Insurrection, p. 72.


183 Aptheker, American Negro Slave Revolts, p. 75.


185 Ibid., p. 133.

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